

OPHELIA CAGE
CAGE vs. CITY OF CHICAGO

April 29, 2015

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<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 NORTHERN DISTRICT OF ILLINOIS</p> <p>3 EASTERN DIVISION</p> <p>4</p> <p>5 OPHELIA CAGE,)</p> <p>6 Plaintiff,)</p> <p>7 vs.) No. 1:14-cv-6818</p> <p>8 THE CITY OF CHICAGO, a)</p> <p>9 Municipal Corporation,)</p> <p>10 Defendant.)</p> <p>11</p> <p>12 The deposition of OPHELIA CAGE, taken</p> <p>13 pursuant to the Federal Rules of Civil Procedure of</p> <p>14 the United States District Courts pertaining to the</p> <p>15 taking of depositions, taken before JULIE A.</p> <p>16 CONROY, CSR No. 84-2251, a Notary Public within and</p> <p>17 for the County of DuPage, State of Illinois, and a</p> <p>18 Certified Shorthand Reporter of said state, at</p> <p>19 Suite 1020, 30 North LaSalle Street, Chicago,</p> <p>20 Illinois, on the 29th day of April, A.D. 2015,</p> <p>21 commencing at 10:14 a.m.</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 3</p> <p>1 MR. JOHNSON: Let the record reflect that the</p> <p>2 time is 10:14 a.m., on April 29th, 2015. This is</p> <p>3 the deposition of Ophelia Cage.</p> <p>4 Could you please swear in the witness?</p> <p>5 (WHEREUPON, the witness was duly</p> <p>6 sworn.)</p> <p>7 MR. JOHNSON: Let the record reflect that the</p> <p>8 time is 10:14 a.m., on April 29th, 2015. This is</p> <p>9 the deposition of Ophelia Cage, taken in the matter</p> <p>10 of Cage vs. City of Chicago, Case No. 14-c-6818.</p> <p>11 This deposition is taken pursuant to a notice of</p> <p>12 deposition properly served in accordance with all</p> <p>13 applicable rules and by agreement of the parties.</p> <p>14 OPHELIA CAGE,</p> <p>15 called as a witness herein, having been first duly</p> <p>16 sworn, was examined and testified as follows:</p> <p>17 EXAMINATION</p> <p>18 BY MR. JOHNSON:</p> <p>19 Q. Ms. Cage, could you please state and</p> <p>20 spell your full name for the record?</p> <p>21 A. Ophelia Cage, O-p-h-e-l-i-a, C-a-g-e.</p> <p>22 Q. Have you ever been deposed before?</p> <p>23 A. No.</p> <p>24 Q. Ms. Cage, I want to go over a few</p>
<p style="text-align: right;">Page 2</p> <p>1 PRESENT:</p> <p>2</p> <p>3 BARRY A. GOMBERG & ASSOCIATES,</p> <p>4 (53 West Jackson Boulevard, Suite 1350,</p> <p>5 Chicago, Illinois 60604,</p> <p>6 312-922-0550), by:</p> <p>7 MR. BARRY A. GOMBERG,</p> <p>8 gombergglaw@aol.com,</p> <p>9 appeared on behalf of the Plaintiff;</p> <p>10</p> <p>11 OFFICE OF THE CORPORATION COUNSEL,</p> <p>12 CITY OF CHICAGO,</p> <p>13 (30 North LaSalle Street, Room 1020,</p> <p>14 Chicago, Illinois 60602,</p> <p>15 312-744-6951), by:</p> <p>16 MR. CARL JOHNSON,</p> <p>17 carl.johnson@cityofchicago.org,</p> <p>18 MS. DEJA NAVE,</p> <p>19 MS. MEIRA GREENBERG,</p> <p>20 appeared on behalf of the Defendant.</p> <p>21</p> <p>22 REPORTED BY: JULIE A. CONROY, CSR, RPR,</p> <p>23 CSR No. 84-2251</p> <p>24</p>	<p style="text-align: right;">Page 4</p> <p>1 ground rules. Please answer questions out loud.</p> <p>2 Don't answer with uh-huh or uh-uh or a shake of the</p> <p>3 head, a nod of the head. That's for the benefit of</p> <p>4 the record. The court reporter can't take down</p> <p>5 non-verbal responses. Okay?</p> <p>6 A. Okay.</p> <p>7 Q. You may anticipate my question, but</p> <p>8 please wait until I finish so that we don't talk</p> <p>9 over each other and I'll try to wait until you</p> <p>10 answer before I ask the next question. Okay?</p> <p>11 A. Okay.</p> <p>12 Q. The lawyers may object on occasion. So</p> <p>13 please wait until we are finished making our</p> <p>14 objection before you answer. You should answer</p> <p>15 after objections are made unless your attorney</p> <p>16 instructs you not to answer. Okay?</p> <p>17 A. Okay.</p> <p>18 Q. Finally, if you need to take a break at</p> <p>19 any time, that's fine. Just please let me know. I</p> <p>20 would only ask that you answer the question that</p> <p>21 is pending before we take a break. Okay?</p> <p>22 A. Okay.</p> <p>23 Q. Ms. Cage, is there any reason why your</p> <p>24 ability to answer the questions fully, truthfully,</p>

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<p style="text-align: right;">Page 5</p> <p>1 and accurately might be impaired today?</p> <p>2 A. No.</p> <p>3 Q. Is there any reason that your memory</p> <p>4 might be impaired today?</p> <p>5 A. No.</p> <p>6 Q. Other than your attorneys, did you speak</p> <p>7 to anyone in preparation for your deposition?</p> <p>8 A. No.</p> <p>9 Q. Did you review any documents to prepare</p> <p>10 for your deposition today?</p> <p>11 A. No.</p> <p>12 Q. Ms. Cage, how old are you?</p> <p>13 A. 64.</p> <p>14 Q. And what is your race?</p> <p>15 A. Black.</p> <p>16 Q. Have you ever been married?</p> <p>17 A. Yes.</p> <p>18 Q. Are you currently married?</p> <p>19 A. No.</p> <p>20 Q. Do you have any children?</p> <p>21 A. Yes.</p> <p>22 Q. How many?</p> <p>23 A. Two.</p> <p>24 Q. Where do you live currently?</p>	<p style="text-align: right;">Page 7</p> <p>1 the City of Chicago water department?</p> <p>2 A. October, 1985.</p> <p>3 Q. And have you worked in the City water</p> <p>4 department continuously since October, 1985?</p> <p>5 A. Yes.</p> <p>6 Q. What positions have you held in the</p> <p>7 water department since October, 1985?</p> <p>8 A. A Clerk III and now a water rate taker.</p> <p>9 Q. From what year -- during what years were</p> <p>10 you a Clerk III?</p> <p>11 A. 1985 until June of 1991.</p> <p>12 Q. And from June, 1991, to the present,</p> <p>13 have you been a water rate taker in the City water</p> <p>14 department?</p> <p>15 A. Yes.</p> <p>16 Q. What's your current salary?</p> <p>17 A. Monthly \$2,300.</p> <p>18 Q. Has your salary remained the same ever</p> <p>19 since you became a water rate taker in June, 1991?</p> <p>20 A. No.</p> <p>21 Q. What has been the progression of your</p> <p>22 salary since you started?</p> <p>23 A. Well, I got raises according to the</p> <p>24 union contract.</p>
<p style="text-align: right;">Page 6</p> <p>1 A. 6326 South Campbell Avenue.</p> <p>2 Q. And is that a home or an apartment?</p> <p>3 A. A two-flat.</p> <p>4 Q. Do you rent or own?</p> <p>5 A. Own.</p> <p>6 Q. Have you ever been convicted of a crime?</p> <p>7 A. No.</p> <p>8 Q. Ms. Cage, what's your highest level of</p> <p>9 education?</p> <p>10 A. Two years of college.</p> <p>11 Q. Where did you attend two years of</p> <p>12 college?</p> <p>13 A. It was called Loop Junior College when I</p> <p>14 went.</p> <p>15 Q. How do you spell the first word of that?</p> <p>16 A. L-o-o-p.</p> <p>17 Q. Did you receive a diploma from Loop</p> <p>18 Junior College?</p> <p>19 A. Yes, I did.</p> <p>20 Q. What was your degree?</p> <p>21 A. AA.</p> <p>22 Q. What's that?</p> <p>23 A. Associate in arts.</p> <p>24 Q. Ms. Cage, when did you start working in</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. Do you receive medical benefits</p> <p>2 currently as a water rate taker in the City water</p> <p>3 department?</p> <p>4 A. Yes.</p> <p>5 Q. Do you contribute to a pension?</p> <p>6 A. Yes.</p> <p>7 Q. When did you begin contributing to a</p> <p>8 pension?</p> <p>9 A. I'm not sure because they didn't take</p> <p>10 out Social Security, so it may have been delayed.</p> <p>11 Q. Do you know approximately when?</p> <p>12 A. I'd say '95.</p> <p>13 Q. And, Ms. Cage, you said you are a member</p> <p>14 of a union?</p> <p>15 A. Yes.</p> <p>16 Q. What's the name of that union?</p> <p>17 A. Plumbers Local 130.</p> <p>18 Q. And have you been a member of Plumbers</p> <p>19 Local 130 union since you started at the water</p> <p>20 department in October, 1985?</p> <p>21 A. No.</p> <p>22 Q. When did you --</p> <p>23 A. Two different unions. When I started in</p> <p>24 1985, I was in AFSCME because I was a clerk. And I</p>

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<p style="text-align: right;">Page 9</p> <p>1 didn't get into the plumbers union until I became a 2 water rate taker in 1991. 3 Q. Have you ever received a copy of the 4 City's personnel rules? 5 A. Yes. 6 Q. When did you receive a copy of the 7 City's personnel rules? 8 A. Five years ago. 9 Q. Is that the last five years ago -- is 10 that the last time you received a copy, the most 11 recent time you received a copy of the City's 12 personnel rules? 13 A. Yes. 14 Q. Who is your current supervisor as a 15 water rate taker? 16 A. Tyrone Lewis. 17 Q. Before Mr. Lewis was your supervisor, 18 who was your supervisor before that? 19 A. I can't recall his name. 20 Q. Do you recall the name of any supervisor 21 before Mr. Lewis became your supervisor? 22 A. Yes. Leroy Taylor was a supervisor. I 23 can only remember his last name, his name was 24 Mulligan. He was a supervisor before Mr. Taylor.</p>	<p style="text-align: right;">Page 11</p> <p>1 Leroy Taylor? 2 A. Yes. 3 Q. This was while you were a Clerk III? 4 A. No. That's when I first became a water 5 rate taker. 6 Q. And when was Jim McKenna your 7 supervisor? 8 A. I'm thinking before or after Mulligan, 9 but I don't know which. 10 Q. So in 2011, your supervisor was 11 Tyrone Lewis, correct? 12 A. Yes. 13 Q. And in 2012, your supervisor was 14 Tyrone Lewis? 15 A. Yes. 16 Q. Was Len Caifano or Leonard Caifano the 17 chief water rate taker in 2011 and 2012? 18 A. Yes. 19 Q. And as chief water rate taker, was he 20 your direct supervisor? 21 A. Yes. 22 Q. Was he the supervisor above Tyrone 23 Lewis? 24 A. Yes.</p>
<p style="text-align: right;">Page 10</p> <p>1 And the one before Mr. Lewis, I can't think of 2 his name. Oh, and I had a supervisor named Jim 3 McKenna. Kroll, Bob Kroll, the supervisor before 4 Tyrone Lewis. 5 Q. Do you remember approximately what 6 years -- for what years Bob Kroll was your 7 supervisor as a water rate taker? 8 A. No. I just remember that he was the 9 supervisor before Tyrone became my supervisor. 10 Q. And when did Tyrone become your 11 supervisor? 12 A. I have no idea. 13 Q. Do you know approximately when? 14 A. I'm going to say 2000, but that's a 15 guess. 16 Q. And before Bob Kroll was your 17 supervisor, Leroy Taylor was your supervisor? 18 A. I'm trying to think who was before who. 19 Leroy Taylor was before Bob Kroll. 20 Q. Do you remember when Leroy Taylor was 21 your supervisor, what years? 22 A. In the '90s. 23 Q. And the individual whose last name is 24 Mulligan, was that person your supervisor before</p>	<p style="text-align: right;">Page 12</p> <p>1 Q. So on a daily basis did you report to 2 Tyrone Lewis -- 3 A. Yes. 4 Q. -- in 2011 and 2012? 5 Did you report directly to Len Caifano 6 in 2011 and 2012? 7 A. No, to Tyrone Lewis. 8 Q. Was Mike Duda ever your supervisor as a 9 water rate taker with the City? 10 A. Yes, when we were stationed out of 11 79th and Lakefront. 12 Q. Do you remember approximately what 13 years Mike Duda was your supervisor as a water 14 rate taker? 15 A. No. 16 Q. Do you remember in the progression 17 relative to Bob Kroll, Leroy Taylor, Mr. Mulligan, 18 or Jim McKenna where Bob Duda -- excuse me -- where 19 Mike Duda fit in? 20 A. It's hard to say because we had four 21 stations and Tyrone was at Station 3, which was on 22 Springfield and North Avenue, and Mike Duda was on 23 the south side over here. So they had scheduled me 24 to work at the south side station. That's how Mike</p>

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<p style="text-align: right;">Page 13</p> <p>1 Duda became my supervisor because after Bob Kroll 2 left I think Mike was made supervisor then. 3 Q. Was Mike Duda ever your supervisor 4 during 2011 or 2012? 5 A. I think 20 -- I think 2011, but I'm not 6 sure because he left, resigned. 7 Q. So besides Mike Duda, Tyrone Lewis, 8 Bob Kroll, Leroy Taylor, Mr. Mulligan, Jim McKenna, 9 and Len Caifano as chief water rate taker, are 10 there any other supervisors you've had as a 11 water rate taker? 12 A. No. 13 Q. What station do you currently work out 14 of as a water rate taker? 15 A. 39th and Iron. 16 Q. Is that the only station for water rate 17 takers right now? 18 A. Yes. 19 Q. Was there a time when there was 20 more than one station for water rate takers? 21 A. Yes. 22 Q. When did the stations consolidate into 23 one station for water rate takers? 24 A. When they -- before we came to 39th and</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. At the station at 39th and Iron, are 2 there multiple floors? 3 A. Yes. 4 Q. How many floors are there? 5 A. They have the mezzanine, first floor, 6 second floor. 7 Q. So three? 8 A. Yes. 9 Q. What floor of the building do you 10 currently work on? 11 A. The basement. 12 Q. Did you work in the basement in 2011? 13 A. We've always been in the basement since 14 we've been at 39th and Iron. 15 Q. Okay. In 2012, did you work in a 16 cubicle in the basement of 39th and Iron? 17 A. No. 18 Q. Did you have your own desk? 19 A. No. 20 Q. Did you have a location where you would 21 keep any work or any records at 39th and Iron? 22 A. No. 23 Q. Did any water rate taker have a cubicle 24 in the basement of 39th and Iron?</p>
<p style="text-align: right;">Page 14</p> <p>1 Iron we were at 49th and Western and that was the 2 only station that we had. They had closed down 3 23rd and Ashland which we were originally scheduled 4 and they closed down the one at Springfield and 5 North Avenue. So everybody was at 49th and Iron -- 6 I mean, 49th and Western. And from there they put 7 us on 39th and Iron. 8 Q. Do you remember when it was narrowed 9 down to only 49th and Western, approximately what 10 year? 11 A. No. 12 Q. Do you remember when everyone moved to 13 39th and Iron? 14 A. We've been there two years I think. 15 Q. So approximately? 16 A. This will be the third year I think. 17 Q. So approximately beginning of 2012? 18 A. I think so. 19 Q. You were at 39th and Iron? 20 A. Yes. 21 Q. Do you recall where you were stationed 22 out of in 2011? 23 A. I think 49th and Western, but I'm not 24 sure.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. No. 2 Q. Did any water rate taker have a desk in 3 the basement of 39th and Iron? 4 A. No. 5 Q. Were all water rate takers in the 6 basement of 39th and Iron in 2012? 7 A. No. Some were on the first floor. 8 Q. Approximately how many water rate takers 9 were on the first floor? 10 A. Five. 11 Q. Who were they? 12 A. Pat Durrant, Bridget Jones, Rose O'Neil, 13 Jeff Sojka -- I think that's how you pronounce his 14 name -- Sharon Brown, and Jerry Robinson. 15 Q. Robinson? 16 A. Robinson. 17 Q. Were there any other water rate takers 18 on the first floor besides those individuals in 19 2012? 20 A. They have another one, Rios, but I don't 21 know Rios' last name. 22 Q. Any other water rate takers besides them 23 on the first floor in 2012? 24 A. No.</p>

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<p style="text-align: right;">Page 17</p> <p>1 Q. So besides who you have listed on the 2 first floor, all other water rate takers were in 3 the basement of 39th and Iron in 2012? 4 A. Yes. 5 Q. In 2012, did Tyrone Lewis have his own 6 office in 39th and Iron? 7 A. He has a cubicle. 8 Q. Where is Mr. -- where in 2012 was 9 Mr. Lewis' cubicle located? 10 A. In the basement and he has a desk 11 upstairs on the first floor. 12 Q. His cubicle in the basement of 39th and 13 Iron in 2012, was it in the middle of the floor? 14 Was it off in the corner? 15 A. Off in the corner. 16 Q. And you said he had a desk on the first 17 floor? 18 A. Yes. He goes back and forth. After Len 19 Caifano retired, he took over his duties. So he's 20 in the basement in the morning and then when we 21 leave out he goes upstairs to the desk on the first 22 floor. 23 Q. In 2012, did Len Caifano have his own 24 office?</p>	<p style="text-align: right;">Page 19</p> <p>1 Q. Are there any other job duties as a 2 water rate taker? 3 A. No, that's it. 4 Q. I'd like to turn your attention to 5 Exhibit 1, what we'll mark as Exhibit 1, please. 6 (WHEREUPON, a certain document was 7 marked Cage Deposition Exhibit 8 No. 1, for identification, as of 9 04-29-2015.) 10 BY MR. JOHNSON: 11 Q. Do you recognize Exhibit 1? 12 A. I've never seen this copy before. 13 Q. Have you seen a copy of a similar 14 document before? 15 A. One sheet when I first applied for the 16 job. 17 Q. Does this appear to be the class title 18 water rate taker job description provided by the 19 City of Chicago? 20 A. Yes. 21 Q. Can you please review this exhibit. 22 A. This has been updated. We were not 23 required to have a driver's license when I came on 24 the job because you drove your own car and you</p>
<p style="text-align: right;">Page 18</p> <p>1 A. Yes. He had a cubicle up on the first 2 floor. 3 Q. As a water rate taker in -- well, 4 currently as a water rate taker, what are your job 5 duties? 6 A. We read water meters for the City of 7 Chicago so the customers can get billed. 8 Q. Do you have any other job duties as a 9 water rate taker besides reading meters in the 10 City of Chicago so customers can get billed? 11 A. We do charitable accounts. Those are 12 the police station and firehouses where they send 13 us out just to see how much water is being used. 14 And we post properties that have the water shut off 15 for non-payment. 16 Q. Besides reading water meters, doing 17 charitable accounts, and posting properties, are 18 there any other job duties you do as a water rate 19 taker? 20 A. When the meters stop working, they send 21 us out to SEO 1s to check to see why the meter 22 hasn't moved in X amount of months. 23 Q. What's SEO 1? 24 A. Small examination orders.</p>	<p style="text-align: right;">Page 20</p> <p>1 walked to the location. So they did not require 2 us to have a driver's license. 3 Q. When did they start requiring you to 4 have a driver's license? 5 A. Well, this copy here has been updated 6 maybe five times. Like I said, when I first got 7 it, it was one statement and it was just a general 8 statement telling you what the responsibilities 9 were for water rate taker. They did not have 10 education, training, or experience on that one. 11 This licensure and certification was not on there. 12 Q. Under the heading "Characteristics of 13 this Class" -- excuse me -- "Characteristics of the 14 Class" and the next heading "Essential Duties," 15 does the information listed here -- in addition to 16 what you testified to, reading water meters for the 17 City, charitable accounts, posting properties, shut 18 off notices, and when meters stop working doing 19 SEO orders, in addition to those, does what's 20 listed under the first two headings state all of 21 the job duties for a water rate taker currently? 22 A. Yes. 23 Q. Were your job duties as a water rate 24 taker different in any way in 2011 and 2012?</p>

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<p style="text-align: right;">Page 21</p> <p>1 A. No.</p> <p>2 Q. Do you know how many water rate takers</p> <p>3 are in the department right now, in the water</p> <p>4 department?</p> <p>5 A. Less than 25.</p> <p>6 Q. Do you know how many water rate takers</p> <p>7 were in the City water department in 2011 and 2012?</p> <p>8 A. Probably less than 20.</p> <p>9 Q. In 2011 and 2012, would you say 15 water</p> <p>10 rate takers?</p> <p>11 A. Yes.</p> <p>12 Q. What are your typical hours -- excuse</p> <p>13 me.</p> <p>14 What were your typical hours in 2011 and</p> <p>15 2012?</p> <p>16 A. 7:00 to 3:30.</p> <p>17 Q. At any time as a water rate taker with</p> <p>18 the City of Chicago water department did you ever</p> <p>19 work different hours besides 7:00 to 3:30?</p> <p>20 A. No.</p> <p>21 Q. In 2011 to 2012, did you have to swipe</p> <p>22 in at the beginning of the day?</p> <p>23 A. Yes.</p> <p>24 Q. When you say your typical hours in 2011</p>	<p style="text-align: right;">Page 23</p> <p>1 A. When they changed the system to Kronos.</p> <p>2 So I don't know what year they changed the system</p> <p>3 to Kronos.</p> <p>4 Q. Was it before 2011 that you received</p> <p>5 this memo?</p> <p>6 A. Yes.</p> <p>7 Q. Was it before 2009?</p> <p>8 A. Could be. I'm not sure.</p> <p>9 Q. Do you know who wrote the memo?</p> <p>10 A. It came from personnel.</p> <p>11 Q. In addition to this memo that was</p> <p>12 circulated prior to 2009 from personnel, was there</p> <p>13 any other way you were informed of the requirement</p> <p>14 to swipe in and out?</p> <p>15 A. No.</p> <p>16 Q. In 2011 and 2012, were there any</p> <p>17 exceptions to the requirement of swiping in and</p> <p>18 out at the station?</p> <p>19 A. What do you mean any exceptions?</p> <p>20 Q. So were there times where a water</p> <p>21 rate taker was allowed to not swipe in and out?</p> <p>22 A. They weren't allowed to, but it was</p> <p>23 done.</p> <p>24 Q. Which water rate takers didn't swipe in</p>
<p style="text-align: right;">Page 22</p> <p>1 and 2012 were 7:00 to 3:30, is that 7:00 a.m. to</p> <p>2 3:30 p.m.?</p> <p>3 A. Yes.</p> <p>4 Q. In 2011 to 2012, did you have to swipe</p> <p>5 out at the end of the day?</p> <p>6 A. Yes.</p> <p>7 Q. And by swiping in and swiping out, is</p> <p>8 that with a plastic card swiped into some sort of</p> <p>9 electronic reader?</p> <p>10 A. Yes.</p> <p>11 Q. And in 2012, did you swipe in and out at</p> <p>12 the station at 39th and Iron?</p> <p>13 A. Yes.</p> <p>14 Q. In 2011 and 2012, were you required to</p> <p>15 swipe in and out?</p> <p>16 A. Yes.</p> <p>17 Q. How were you informed of this</p> <p>18 requirement?</p> <p>19 A. They had passed a memo around and before</p> <p>20 we were at 39th and Iron that's how they recorded</p> <p>21 our documents at all the stations, even before they</p> <p>22 closed the other three down.</p> <p>23 Q. When did you receive a memo about the</p> <p>24 requirement to swipe in and out in 2011 and 2012?</p>	<p style="text-align: right;">Page 24</p> <p>1 and out in 2011 and 2012?</p> <p>2 A. If a rate taker didn't have any problem</p> <p>3 with the supervisor and they left their ID at home</p> <p>4 or lost it or was running late, they were allowed</p> <p>5 to fill out an edit sheet.</p> <p>6 Q. Do you recall individual water rate</p> <p>7 takers who fall into this category of not swiping</p> <p>8 in and out in 2011 and 2012 and filling out an</p> <p>9 edit sheet instead?</p> <p>10 A. Pat Durrant, Bridget Jones, Rose O'Neil.</p> <p>11 Those are the three I can think of right offhand.</p> <p>12 Q. So as you sit here today, besides Pat</p> <p>13 Durrant, Bridget Jones, and Rose O'Neil, you cannot</p> <p>14 recall any other water rate takers who would not</p> <p>15 swipe in and out each day in 2011 and 2012?</p> <p>16 A. No.</p> <p>17 Q. Do you recall whether Pat Durrant,</p> <p>18 Bridget Jones, and Rose O'Neil would not swipe in</p> <p>19 and out every day?</p> <p>20 A. Yes, it was on a daily basis.</p> <p>21 Q. And how are you aware that on a daily</p> <p>22 basis these three individuals would not swipe in</p> <p>23 and out?</p> <p>24 A. Well, the supervisor would give them an</p>

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<p style="text-align: right;">Page 25</p> <p>1 edit sheet. And if you're standing there by the 2 desk, you see the edit sheet because they come in. 3 If I get there at, which I do now, 5:45 in the 4 morning, I see the people that comes in and out. 5 Q. Did you arrive at 5:45 in the morning in 6 2011 and 2012 each day? 7 A. I still do. 8 Q. In 2011 and 2012 you did, as well? 9 A. Yes. 10 Q. And did you always every day stand by 11 the desk where the edit sheets would be placed? 12 A. No. Once I swipe in, I can either 13 go back to my car and sit or I can come into the 14 station. And I'm sitting in my car and I'm 15 seeing them coming in late. 16 Q. So did you ever see in 2011 and 2012 the 17 edit sheet for Pat Durrant, Bridget Jones, or 18 Rose O'Neil? 19 A. Yes, I did. 20 Q. How many times did you see the edit 21 sheet in the morning for Pat Durrant? 22 A. On a daily basis, three to four times a 23 week. 24 Q. And you saw it at the desk where the</p>	<p style="text-align: right;">Page 27</p> <p>1 Q. Do you know approximately how to spell 2 it? 3 A. S-o- -- I have it here on the -- 4 Jeff, last name is spelled S-o-j-k-a. 5 It's Jeffrey A., however you pronounce his last 6 name, J-e-f-f-r-e-y, middle initial A. 7 Q. And is that individual Jeff, who I think 8 is Sojka, S-o-j-k-a, the person you were referring 9 to when you listed the water rate takers who in 10 2011 and 2012 were located on the first floor -- 11 A. Yes. 12 Q. -- of 39th and Iron? 13 What did you refer to when you just 14 looked up Jeff's name? 15 A. This is called a department seniority 16 report and it has on there everybody's date that 17 they started working. 18 Q. And how did you obtain this document? 19 A. I kept asking Leo Lillard, who is the 20 assistant director for seniority lists. I had to 21 ask for about a year before we finally got one and 22 that's how I obtained it. 23 Q. When did you ask Leo Lillard for a 24 seniority report?</p>
<p style="text-align: right;">Page 26</p> <p>1 edit sheet was placed? 2 A. Yes. The supervisor gives them the edit 3 sheet. Then they turn them in. 4 Q. And how did you see the edit sheet for 5 Bridget Jones and Rose O'Neil? 6 A. Because I'm standing there by the desk 7 as they're coming in and asking the supervisor for 8 the edit sheet. 9 Q. With Bridget Jones, was it also three to 10 four times per week? 11 A. Yes. And what Bridget would do, if she 12 didn't have time to get to her location, which was 13 at 39th and we were at 49th and Western, she would 14 come over there to try and swipe in to keep from 15 being late. 16 Q. About what years did that take place? 17 A. Before we left 49th and Western. I 18 don't know what year, but she did it. Jeff Soj- -- 19 I don't know how to pronounce his name -- he did 20 it. Those two would do it on a regular basis. 21 Q. Jeff, and his last name starts with an 22 S, would that be Jeff Sojka? 23 A. I don't know how to pronounce his last 24 name.</p>	<p style="text-align: right;">Page 28</p> <p>1 A. We were at 49th and Western. Almost a 2 year before. I guess he contacted someone in 3 personnel and we ended up -- we got here Department 4 of Human Resources records management. That's how 5 we got this. When he obtained it, he made a copy 6 for everybody to get one. 7 Q. So you got this seniority report from 8 Leo Lillard before 2011? 9 A. Yes. 10 Q. And was Rose O'Neil in 2012 also allowed 11 three to four times per week to not swipe in and 12 out of the station? 13 A. Yes. She still does. 14 Q. In 2011 and 2012, if you took breaks 15 while you were working as a water rate taker, 16 either for lunch or otherwise, did you record 17 when you took a break? 18 A. No. 19 Q. Was there a requirement for whether you 20 should record whether you took a break? 21 A. No. 22 Q. What time did you arrive in the parking 23 lot each morning in 2011 and 2012? 24 A. When we were at 49th and Western, they</p>

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<p style="text-align: right;">Page 29</p> <p>1 had a lockbox on the gate. So I was always the 2 first one to the station. I would get there at 3 like I said between 5:30 and before 6:00 and I 4 would open up the doors so that when everybody else 5 came they didn't have to put the code in because I 6 was already in the office. 7 Q. And what time did you arrive in the 8 parking lot each morning in 2012 when you were at 9 39th and Iron? 10 A. Same time I go now, 5:00 -- it was 5:45. 11 It's now 5:30 because we have a thing on the door 12 and it was broken. They fixed it. They had to 13 fix it or you can only get in there after 6:00. 14 But after they fixed the door, it started working 15 at 5:30. 16 Q. I understand that in 2011 and 2012 there 17 were different types of assignments a water rate 18 taker might do, is that correct? 19 A. Yes. 20 Q. In 2011 and 2012, what were the 21 different types of assignments? 22 A. Some of the rate takers like myself did 23 postings, which we're doing now. We read 24 charitable accounts and we read water meters. And</p>	<p style="text-align: right;">Page 31</p> <p>1 with their bill and they send a rate taker out 2 there with the paperwork to read the meter to see 3 if the reading that the City has billed them for 4 is accurate or if the meter is damaged or if 5 there's some problem with the meter the reason 6 their bill is so high. 7 Q. In 2011 and 2012, was AMR a type of 8 assignment water rate takers would get? 9 A. That's a little position that they have 10 for those in their little clique. 11 Q. Who is they? 12 A. Lenny Caifano. 13 Q. And what do you mean by clique? 14 A. Those are the rate takers that he favor, 15 so he give them the easiest work there is. 16 Q. Who were the water rate takers who Lenny 17 Caifano favored in 2011 and 2012? 18 A. Well, he has a rate taker now, 19 John Vasquez. When he came back from having his 20 heart attack, they didn't put him in the field. 21 They put him on the AMR truck. And that's what 22 he's doing right now. They have another rate 23 taker, Daryl Tigner. He drives the AMR truck. Ben 24 Williams before he retired, he was driving the</p>
<p style="text-align: right;">Page 30</p> <p>1 you had people like Pat Durrant, Rose O'Neil, and 2 Bridget before she retired, they would do like 3 SEO 1s. 4 Q. Besides reading meters, posting, doing 5 charitable accounts, and SEO 1 assignments, were 6 there any other assignments water rate takers 7 were assigned in 2011 and 2012? 8 A. I don't think so, no. 9 Q. Were there full payment certificates in 10 2011 and 2012? 11 A. Yes. They have a rate taker called Rudy 12 Esposito doing those along with Nancy Smith. 13 Q. Are you sure that's Rudy Esposito? Is 14 his last name Esposito? 15 A. Yes. 16 Q. Were there service orders as a type -- 17 besides SEOs, were there service orders -- 18 A. Yes. 19 Q. -- as a type of assignment -- 20 A. Yes. 21 Q. -- in 2011 and 2012? 22 A. Yes. 23 Q. What is a service order? 24 A. That's when a customer has a dispute</p>	<p style="text-align: right;">Page 32</p> <p>1 AMR truck. They have Jeanette. I can't think of 2 Jeanette's last name. She's on the AMR truck. And 3 they have another guy. I think his name is John 4 Vasquez. He drive the AMR truck. And they have 5 another one. What's his name. Byron Lewis, he 6 drives the AMR truck. 7 Q. Besides John Vasquez, Daryl Tigner, 8 Ben Williams, Jeanette, and Byron Lewis, are there 9 any other water rate takers who in 2011 and 2012 10 were in Len Caifano's clique? 11 A. Jeff Sojka. That's his right-hand man. 12 Q. And when you say these water -- was 13 there anyone else in the clique -- 14 A. Yeah -- 15 Q. -- in 2011 and 2012? 16 A. -- Rose O'Neil. 17 Q. I'm sorry. Strike that. 18 Is there anyone else that was in 19 Lenny's clique, Len Caifano's clique in 2011 and 20 2012? 21 A. Yes, Rose O'Neil, Pat Durrant, 22 Bridget before she retired, Jeff, his right-hand 23 man, Rudy. John Vasquez, we got him down. Rios. 24 I can't think of Rios' last name. I got it on the</p>

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<p style="text-align: right;">Page 33</p> <p>1 paper down here. Rios and Ed Rodriguez. 2 Q. Besides John Vasquez, Daryl Tigner, 3 Ben Williams, Jeanette, Byron Lewis, Jeff Sojka, 4 Rose O'Neil, Pat Durrant, Bridget Jones, Rudy, 5 Rios, and Ed Rodriguez, were there any other water 6 rate takers in Len Caifano's clique in 2012? 7 A. Yes, but Ben Williams and Jeanette, they 8 weren't in the clique. They just happened to be on 9 it because they had the time, they had the 10 seniority. 11 Q. Who else was in the clique? 12 A. That's it. 13 Q. What do you mean when you say the 14 members of Len Caifano's clique were favored? 15 A. Them and me, he would give me the 16 hardest work he could working on the north side, in 17 the dunes if he could. And Pat and Bridget and all 18 these other peoples, in the course of eight hours 19 they did less than 20 of whatever it is they were 20 doing a day. 21 Q. How do you know that these others 22 would do less than 20 of whatever they did per 23 day? 24 A. Because I questioned Lenny about the</p>	<p style="text-align: right;">Page 35</p> <p>1 A. Up until he resigned and left or 2 whatever. 3 Q. And when you had these conversations 4 with Len Caifano on a weekly basis, did you discuss 5 the performance of water rate takers besides Pat 6 Durrant and Bridget Jones? 7 A. And Rose O'Neil, yes. 8 Q. Besides Ms. Durrant, Ms. Jones, and 9 Ms. O'Neil, did you discuss on a weekly basis with 10 Len Caifano other water rate takers' performance? 11 A. Yes. I discussed Rudy Esposito's 12 performance, Rios' performance. 13 Q. Did you discuss with Lenny on a weekly 14 basis the performance of all the water rate takers 15 we previously listed as a part of his clique? 16 A. Yes, I did. 17 Q. When you would ask Lenny Caifano in 18 these weekly conversations about the performance 19 of other water rate takers compared to your 20 assignments, what would he say in response? 21 A. Lenny was very arrogant. He would jump 22 on the defensive and accuse you of questioning his 23 authority. He had a statement that he always used, 24 I am the chief. So I do, you know, what I want to</p>
<p style="text-align: right;">Page 34</p> <p>1 work that he was giving them and the work he 2 was giving me. 3 Q. When did you question Lenny? 4 A. I started questioning Lenny 2000 -- way 5 before 2011. 2010, '11, and '12. And I was, you 6 know, telling Lenny, why is it, you know, you had a 7 north side crew, rate takers that were supposed to 8 be reading meters on the north side. Bridget and 9 Pat tells you they don't know their way around. 10 You throw me up there. I said I have just as much 11 time as Bridget and Pat do and you giving Pat and 12 Bridget the less work of anybody. 13 Q. In this conversation comparing the 14 work that you did with the work that Bridget did 15 when you were questioning Lenny about it, this is 16 a specific conversation? 17 A. Yes. 18 Q. When did that specific conversation 19 occur? 20 A. Me and Lenny had conversations like 21 this on a weekly basis because he was giving 22 them every -- five days a week. 23 Q. And this was on a weekly basis from 2010 24 through 2011, through 2012?</p>	<p style="text-align: right;">Page 36</p> <p>1 do. I'm the chief. I'm your boss. You're not 2 mine. 3 And I told him you know I do more work 4 than they do because you see it every day on a 5 daily basis. 6 He turned around and walked away. 7 Q. Do you recall a specific instance where 8 he accused you of questioning his authority? 9 A. Yes. In January of '12, we had a -- it 10 wasn't heated, but it was a verbal discussion about 11 those allegations there. And that's when 12 Mr. Caifano proceeded to call me out of my name. 13 Q. What do you mean call you out of your 14 name? 15 A. Well, he said I was an old nigger bitch 16 and I need to get out of his office. You know, 17 don't come in here telling him his job. He's my 18 boss. I'm not his. 19 Q. Do you remember the date in January, 20 2012, when Mr. Caifano made this comment? 21 A. January 24th. 22 Q. Was anyone else present when Mr. Caifano 23 on January 24th called you an old N word bitch? 24 A. No.</p>

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<p style="text-align: right;">Page 37</p> <p>1 Q. Was there any other specific 2 conversation you remember where Len Caifano 3 would accuse you of questioning his authority? 4 A. Yes. We had a discussion in March. 5 March of 2012 we had a discussion about my work 6 again, about Lenny constantly suspending me for 7 little, small infractions. And the majority of 8 those names that I gave you, I have more seniority 9 than them and have been on the job longer than 10 them and you keep singling me out. 11 Q. Going back to your weekly conversations 12 between 2010 and 2012 with Mr. Caifano about the 13 performance of water rate takers in his clique, 14 did he ever confirm that they were given more 15 favorable assignments than you? 16 A. I saw the work. When we do whatever 17 it is we doing, we bring it in, like this here, and 18 you put it on the desk. Well, if I get back, 19 everybody's work is there. So you can see 20 everybody's work, what they have did for the whole 21 day. So I'm looking at everybody's work along with 22 mine and you see what their production was for that 23 day. 24 Q. Did you see the results of -- all the</p>	<p style="text-align: right;">Page 39</p> <p>1 out in your mind? 2 A. Because of a suspension he had given me 3 prior to that. 4 Q. What suspension? 5 A. I had so many. A suspension where I 6 couldn't get into some locked buildings on the 7 north side. 8 Q. After this conversation on January 24th, 9 2012, where Mr. Caifano made that comment, did you 10 tell anyone about the comment? 11 A. Yes, I told Mike Duda. 12 Q. When did you tell Mike Duda? 13 A. When I came back in that evening from my 14 route. 15 Q. What time was that? 16 A. 2:30. 17 Q. Where exactly were you when you told 18 Mike Duda at 2:30? 19 A. In the office, in his office. 20 Q. And where is Mike Duda's -- in Mike 21 Duda's office? 22 A. He don't have an office. It's a room. 23 Q. And he has a desk in that room? 24 A. Yes, two desks in there.</p>
<p style="text-align: right;">Page 38</p> <p>1 water rate takers that we listed in Lenny's clique, 2 did you see the results of their work every day? 3 A. Yes, I did. 4 MR. JOHNSON: Okay. Can we take a break? 5 (WHEREUPON, a recess was had from 6 11:03 to 11:23 a.m.) 7 MR. JOHNSON: Back on the record. 8 BY MR. JOHNSON: 9 Q. So, Ms. Cage, the conversation you had 10 with Len Caifano on January 24th, 2012, where 11 exactly were -- the conversation where he called 12 you -- you believe he called you an old nigger 13 bitch, where exactly were you when this comment was 14 made? 15 A. In 39th and Iron, they have a room 16 called the conference room that's across the 17 hallway from where his desk is. 18 Q. What floor is that on? 19 A. First floor. 20 Q. What time of day, what exact time was 21 it? 22 A. It was before I started my shift. So 23 around 8 o'clock. 24 Q. Why does that date January 24th stand</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. Wasn't Tyrone Lewis your supervisor in 2 January, 2012? 3 A. Yes, he was. 4 Q. Was Mike Duda also your supervisor in 5 January, 2012? 6 A. They said he was, yes. So him and 7 Tyrone like split the duties. Normally Mike Duda 8 just took over. Tyrone was just sitting there. He 9 just sit there and Mike Duda runs the office. 10 Q. Why did you tell Mike Duda about the 11 conversation with Len Caifano? 12 A. Because I wanted him to give me some 13 paperwork so that I could file charges. 14 Q. Why didn't you tell Tyrone Lewis? 15 A. Tyrone Lewis was just -- like I said, he 16 is just there in the office. The majority of the 17 time he gets up and Mike takes care of the rate 18 takers and whatever else it is they need to have 19 done. Mike Duda just takes over. 20 Q. What exactly did you say to Mike Duda in 21 that conversation at 2:30 on January 24th? 22 A. I asked could I speak to him. He said I 23 could. Tyrone was not in the office or in the 24 vicinity. And I told him what Lenny had said to</p>

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<p style="text-align: right;">Page 41</p> <p>1 me, how he had called me an old nigger bitch, and I 2 need the paperwork to file some charges. And he 3 said I'll look into it. 4 Q. Did Mike Duda say anything else? 5 A. No. 6 Q. Did Mike Duda give you paperwork to file 7 charges? 8 A. Never. 9 Q. Did you tell anyone else about this 10 January 24th conversation with Len Caifano? 11 A. No, just one of my co-workers. 12 Q. Which co-worker? 13 A. Jessie Greenwood. 14 Q. When did you tell Jessie Greenwood? 15 A. That day. 16 Q. What time? 17 A. When we were getting off from work. 18 Q. When you were finishing work for the 19 day? 20 A. Yes. 21 Q. So about what time? 22 A. 3:30 because we were going to our car. 23 Q. So you had this conversation with 24 Jessie Greenwood in the parking lot?</p>	<p style="text-align: right;">Page 43</p> <p>1 getting paperwork to file charges again after that? 2 A. No. 3 Q. Why not? 4 A. It was obvious I wasn't going to get 5 the paperwork. If I was, it wasn't going to come 6 from Mike Duda. Then I just decided just to leave 7 it alone because I'm trying to retire and get out 8 of there and the more waves I make for Lenny the 9 harder he makes it for me. 10 Q. So did you ever complain about the 11 comment Lenny made on January 24th? Did you ever 12 complain about it to the personnel section in the 13 water department? 14 A. No. I decided to leave it alone because 15 like I said I was trying to retire to get out of 16 there. And it looked like every time I did 17 something I always ended up getting suspended 18 behind it. 19 Q. Did you ever complain to the City of 20 Chicago Department of Human Resources? 21 A. No. 22 Q. Did you ever file a union grievance 23 about the comment Len Caifano made on January 24th? 24 A. No.</p>
<p style="text-align: right;">Page 42</p> <p>1 A. Yes. 2 Q. When you had the conversation with 3 Mike Duda about the comment that Len Caifano made 4 on January 24th, was anyone else present? 5 A. No. 6 Q. Did you have any other conversation with 7 Mike Duda about the comment that Len Caifano made 8 on January 24th? 9 A. No, just the time when I reported it to 10 him and told him I needed the paperwork to file 11 charges. 12 Q. Did you ever follow up with Mike Duda 13 about getting paperwork to file charges? 14 A. I asked him -- after that incident on 15 the 24th, I had asked him a week later. Still no 16 paperwork. He said I'm trying to locate the 17 paperwork. 18 Q. A week later. Do you remember what date 19 you followed up about paperwork? 20 A. The 24th, so it would have to be a week 21 after the 24th of 2012. 22 Q. And what was Mike Duda's response? 23 A. I'm trying to locate the paperwork. 24 Q. Did you follow up with Mike Duda about</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. Did you ever file an administrative 2 charge with the IDHR about the comment Len made 3 on January 24th? 4 A. Can you rephrase that? 5 Q. I'm sorry. Did you ever file an 6 administrative charge with the Illinois Department 7 of Human Rights? 8 A. No. 9 Q. Did you ever file a charge with the 10 Equal Employment Opportunity Commission about 11 Len Caifano's statement on January 24th? 12 A. No. 13 Q. Why did you decide not to go to the 14 Illinois Department of Human Rights or the Equal 15 Employment Opportunity Commission about this 16 comment? 17 A. When I went to the EEOC before about 18 suspensions Len Caifano had given me, and I filed a 19 lot of them, the results were always the same, lack 20 of substantial evidence. So it was obvious they 21 weren't going to do anything. If they didn't do 22 anything about the suspensions, they weren't going 23 to do anything about this. So I said let it go, 24 just do your time and get out of there with your</p>

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<p style="text-align: right;">Page 45</p> <p>1 pension.</p> <p>2 Q. All right. I want to go back and talk</p> <p>3 about posting in 2011 and 2012.</p> <p>4 When you were posting in 2011 and 2012,</p> <p>5 did you typically work alone or with a partner?</p> <p>6 A. The majority of the time I worked alone</p> <p>7 until the time when one of my rate takers came to</p> <p>8 work and didn't have a car. They gave us each</p> <p>9 postings, but we only did mine because we didn't</p> <p>10 have time to do hers. And we did this on three</p> <p>11 separate occasions. And Len Caifano seemed to</p> <p>12 find it okay that she did no work for eight hours,</p> <p>13 that we only did mines.</p> <p>14 Q. Who was this other water rate taker?</p> <p>15 A. Leslie Travis Cook.</p> <p>16 Q. And when exactly did you go together on</p> <p>17 a route?</p> <p>18 A. It was in 2011. It was three separate</p> <p>19 occasions she came to work with no car.</p> <p>20 Q. Do you remember the dates in 2011?</p> <p>21 A. I'm going to say maybe the 8th, the 9th,</p> <p>22 and the 10th of January, 2012.</p> <p>23 Q. And you said that you only did one</p> <p>24 assignment, is that correct?</p>	<p style="text-align: right;">Page 47</p> <p>1 Q. And after you came back from the routes</p> <p>2 on January 9th, who did you turn the assignment</p> <p>3 back in to?</p> <p>4 A. Mike Duda.</p> <p>5 Q. Did he say anything about your results</p> <p>6 of that route?</p> <p>7 A. No.</p> <p>8 Q. Did he say anything about Ms. Cook's</p> <p>9 route?</p> <p>10 A. No.</p> <p>11 Q. On January 10th, who gave you both</p> <p>12 routes?</p> <p>13 A. Tyrone Lewis.</p> <p>14 Q. And on January 10th when you finished</p> <p>15 the route, who did you turn the route back in to?</p> <p>16 A. Tyrone Lewis.</p> <p>17 Q. Did Mr. Lewis say anything to you</p> <p>18 about the results of your route on January 10th?</p> <p>19 A. No.</p> <p>20 Q. Did he say anything to you about the</p> <p>21 results of Ms. Cook's route?</p> <p>22 A. No.</p> <p>23 Q. Did he say anything to Ms. Cook about</p> <p>24 the results of her route?</p>
<p style="text-align: right;">Page 46</p> <p>1 A. Yes. They gave us both routes that</p> <p>2 day -- those days, but she didn't have a car. So</p> <p>3 she rode with me. We only had time to do one route</p> <p>4 in eight hours. So we ended up bringing her routes</p> <p>5 back on all three days undid.</p> <p>6 Q. Who gave you both routes?</p> <p>7 A. The supervisor at the time, which was</p> <p>8 Mike Duda.</p> <p>9 Q. And when you came back from the route on</p> <p>10 January 8th with Leslie Travis Cook, what did you</p> <p>11 do?</p> <p>12 A. We turned in my route, my paperwork, and</p> <p>13 we turned -- she turned her route back in undid.</p> <p>14 Q. Who did you turn your route back in to?</p> <p>15 A. Mike Duda.</p> <p>16 Q. Did Mike Duda say anything to you about</p> <p>17 your route?</p> <p>18 A. No.</p> <p>19 Q. Did he say anything to Ms. Cook about</p> <p>20 her route?</p> <p>21 A. No.</p> <p>22 Q. On January 9th, who gave you both</p> <p>23 routes?</p> <p>24 A. Mike Duda.</p>	<p style="text-align: right;">Page 48</p> <p>1 A. No.</p> <p>2 Q. On January 8th, where was your route</p> <p>3 located?</p> <p>4 A. All I remember is it was on the south</p> <p>5 side. What area I couldn't tell you because we do</p> <p>6 so many areas.</p> <p>7 Q. On January 8th, where was Ms. Cook's</p> <p>8 route located?</p> <p>9 A. It was in the same ward as mines, but</p> <p>10 not close to my route.</p> <p>11 Q. What do you mean same ward?</p> <p>12 A. They assign us routes by wards, the</p> <p>13 sixth ward, the eighth ward, the fifteenth,</p> <p>14 twelfth. We were in the same ward but not at</p> <p>15 the same location. If I was on 63rd and Ashland,</p> <p>16 her route may have been around 63rd and Western.</p> <p>17 Q. So on January 8th, was Ms. Cook's route</p> <p>18 also on the south side?</p> <p>19 A. Yes.</p> <p>20 Q. On January 9th -- I'm sorry. Strike</p> <p>21 that.</p> <p>22 On January 8th, do you recall</p> <p>23 approximately how far driving distance it was</p> <p>24 between your route and Ms. Cook's route?</p>

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<p style="text-align: right;">Page 49</p> <p>1 A. I don't know exactly, but they were not 2 like close together. They were not like I was on 3 one street and she was three streets over. It 4 wasn't like that. She would be like I said maybe 5 farther east and I was maybe farther south. 6 Q. Was it a five-minute drive away? 7 A. No. 8 Q. Ten-minute drive away? 9 A. No. 10 Q. Was it a 15-minute drive away? 11 A. Maybe 15 to 20 minutes. 12 Q. On January 9th, where was your route 13 located? 14 A. Same area. 15 Q. What do you mean by same area? 16 A. Same area I was in on the 9th. They 17 give you an area and you do it until you just about 18 finish it up. So if they assign me an area on the 19 8th, when I come back to work on the 9th, I'm in 20 that same area. When I come back -- that week, 21 they have me over there for a whole week in the 22 same location, just different streets. 23 Q. And you were doing posting on 24 January 9th?</p>	<p style="text-align: right;">Page 51</p> <p>1 to get to mine, so we're going to do yours. 2 Q. Did she say why you weren't going to be 3 able to get to hers? 4 A. We only have eight hours. It takes me 5 eight hours to do mines. So after we finish my 6 route, go to lunch, and come back, it's time to 7 come back into the station. 8 Q. On January 9th, did Ms. Cook look at her 9 own book? 10 A. Yes, she looks at it when they give it 11 to her in the morning. 12 Q. Did she talk to you about her book after 13 she looked at it? 14 A. No. 15 Q. Did she indicate to you whether you 16 would be able to get to both routes? 17 A. No. 18 Q. On January 10th, where was your route 19 located? 20 A. The same area I was on the 8th and the 21 9th. 22 Q. Doing postings? 23 A. Yes. 24 Q. Where was Ms. Cook's route located?</p>
<p style="text-align: right;">Page 50</p> <p>1 A. Yes. 2 Q. And you were doing posting on 3 January 8th? 4 A. Yes. 5 Q. You were doing posting on January 10th? 6 A. Yes. 7 Q. On January 9th, where was Ms. Cook's 8 route located? 9 A. I didn't even look at her book because 10 we did mine. We wouldn't normally look at the book 11 until we finished mines and go to hers. We never 12 got to hers. All three days we never did her 13 postings. We only did mines. 14 Q. Did you look at Ms. Cook's book on 15 January 8th? 16 A. No, because when we got in the car, she 17 would throw it in the back seat so as not to mix 18 the two routes up. 19 Q. How do you know where Ms. Cook's route 20 was on January 8th? 21 A. She looked at it, but I didn't. 22 Q. And when she looked at it, she shared 23 with you where her route was located? 24 A. No. She said we're not going to be able</p>	<p style="text-align: right;">Page 52</p> <p>1 A. She didn't tell me. 2 Q. Did she indicate on January 10th whether 3 you would be able to get to both your route and her 4 route? 5 A. No. 6 Q. When you were doing your route on 7 January 8th and Ms. Cook was with you, did 8 Ms. Cook help you complete your route? 9 A. Yes, she did. 10 Q. How did she help you? 11 A. I drove. She wrote out on stickers 12 and got out and put it on the building. All I did 13 was drive. 14 Q. That's how the two of you worked 15 together the entire day on January 8th? 16 A. Yes. 17 Q. Did that allow you to get your route 18 done faster? 19 A. Yes, it did. 20 Q. Was there any requirement regarding 21 whether you could work on a route with a partner? 22 A. No. 23 Q. Did you ask permission about -- did you 24 ask permission about whether you could work on a</p>

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<p style="text-align: right;">Page 53</p> <p>1 route with a partner?</p> <p>2 A. No.</p> <p>3 Q. On January 8th, did Mike Duda say</p> <p>4 anything about the fact that you had worked with a</p> <p>5 partner on the route?</p> <p>6 A. It was their idea.</p> <p>7 Q. When did -- they meaning Mike Duda?</p> <p>8 A. Yes.</p> <p>9 Q. Did anyone else -- was it anyone else's</p> <p>10 idea?</p> <p>11 A. No. I've never done that before.</p> <p>12 Q. When did Mike Duda give you the idea to</p> <p>13 work with a partner on January 8th?</p> <p>14 A. That morning he said, Ms. Cage, Leslie</p> <p>15 will be with you today.</p> <p>16 Q. On January 9th, did Ms. Cook help you</p> <p>17 complete your route?</p> <p>18 A. Yes.</p> <p>19 Q. How did she help you complete your route</p> <p>20 on January 9th?</p> <p>21 A. She put the stickers on the premise.</p> <p>22 Q. And what did you do?</p> <p>23 A. Drive.</p> <p>24 Q. Was that how you worked together the</p>	<p style="text-align: right;">Page 55</p> <p>1 okay if I work with Ms. Cage.</p> <p>2 Q. And what, if anything, did Tyrone Lewis</p> <p>3 say in response?</p> <p>4 A. They said okay.</p> <p>5 Q. They meaning?</p> <p>6 A. Tyrone Lewis and Mike Duda both agreed</p> <p>7 that she could work with me that day, but they also</p> <p>8 gave her a route, just like they gave me a route.</p> <p>9 Q. Why did they give you a route in</p> <p>10 addition to giving her a route if the plan was</p> <p>11 for you to work together on your route?</p> <p>12 A. Well, I guess they thought that we would</p> <p>13 be able to finish up and do some of her route. We</p> <p>14 never did.</p> <p>15 Q. On January 9th working together, you</p> <p>16 driving and Ms. Cook posting the stickers, did</p> <p>17 you get your route done faster than you would?</p> <p>18 A. A little bit faster, almost the same</p> <p>19 because like I said we went to lunch and we</p> <p>20 finished up with lunch. If we had any left over,</p> <p>21 we finished that up. We came back into the station</p> <p>22 at the end of the day. My route was completed.</p> <p>23 Q. On January 10th, did Ms. Cook help you</p> <p>24 do your route?</p>
<p style="text-align: right;">Page 54</p> <p>1 entire day?</p> <p>2 A. Yes.</p> <p>3 Q. Did you ask permission to work</p> <p>4 together on the route on January 9th?</p> <p>5 A. No.</p> <p>6 Q. Did Mike Duda at the end of the day</p> <p>7 say anything about you working together on</p> <p>8 January 9th?</p> <p>9 A. No.</p> <p>10 Q. Was it someone's idea, someone else</p> <p>11 besides you and Ms. Cook -- was it someone else's</p> <p>12 idea for you to work with Ms. Cook on January 9th?</p> <p>13 A. Ms. Cook may have told them when she</p> <p>14 came in that morning that she didn't have a</p> <p>15 vehicle. So I don't know whose idea it was for her</p> <p>16 to work with me, but she ended up with me.</p> <p>17 Q. Did you personally hear Ms. Cook</p> <p>18 tell someone that she didn't have a vehicle on</p> <p>19 January 9th?</p> <p>20 A. Yes, when she came into the office that</p> <p>21 morning.</p> <p>22 Q. Who did you hear Ms. Cook tell?</p> <p>23 A. She told Tyrone Lewis and Mike Duda.</p> <p>24 She said I don't have a car today. Would it be</p>	<p style="text-align: right;">Page 56</p> <p>1 A. Yes.</p> <p>2 Q. How did she help you?</p> <p>3 A. She -- I drove and she put the stickers</p> <p>4 on the building. So when I pull up to a location,</p> <p>5 she write it out. She get out. She take the</p> <p>6 sticker, peel it off, stick it on the building, and</p> <p>7 come back to the car and ask me what is the next</p> <p>8 stop.</p> <p>9 Q. Is that how you worked together on your</p> <p>10 route the entire day?</p> <p>11 A. Yes.</p> <p>12 Q. Did you ask permission to work together</p> <p>13 on your route on January 10th?</p> <p>14 A. No.</p> <p>15 Q. At the end of the route when you turned</p> <p>16 in the results to Tyrone Lewis, did he say anything</p> <p>17 about the fact that you had worked together on the</p> <p>18 route?</p> <p>19 A. No.</p> <p>20 Q. In the morning, was it someone else's</p> <p>21 idea on January 10th for you to work together on</p> <p>22 the route?</p> <p>23 A. Well, Ms. Cook came in again and told</p> <p>24 them she didn't have a vehicle.</p>

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<p style="text-align: right;">Page 57</p> <p>1 Q. Told who?</p> <p>2 A. The supervisor.</p> <p>3 Q. Who were?</p> <p>4 A. Tyrone Lewis.</p> <p>5 Q. Was there any other supervisor</p> <p>6 Ms. Cook told that she didn't have a vehicle on</p> <p>7 January 10th?</p> <p>8 A. No.</p> <p>9 Q. And what was Tyrone Lewis' response?</p> <p>10 A. He said then you'll have to work with</p> <p>11 Cage again.</p> <p>12 Q. Was there any other time in 2011 or 2012</p> <p>13 when you worked with a partner doing posting?</p> <p>14 A. No.</p> <p>15 Q. In 2011 and 2012 when you were reading</p> <p>16 meters, did you typically work alone or with a</p> <p>17 partner?</p> <p>18 A. Alone.</p> <p>19 Q. Was there ever a time in 2011 or 2012</p> <p>20 when you read meters with a partner?</p> <p>21 A. No.</p> <p>22 Q. In 2011 and 2012 for posting, who made</p> <p>23 the assignments?</p> <p>24 A. The assignments are made by the</p>	<p style="text-align: right;">Page 59</p> <p>1 A. Tyrone Lewis.</p> <p>2 Q. And was there ever a time in 2012</p> <p>3 when someone besides Tyrone Lewis gave assignments?</p> <p>4 A. I don't think so, no.</p> <p>5 THE WITNESS: Excuse me. Can I go to the</p> <p>6 washroom?</p> <p>7 MR. JOHNSON: Sure.</p> <p>8 (WHEREUPON, a recess was had from</p> <p>9 11:47 to 11:53 a.m.)</p> <p>10 MR. JOHNSON: Back on the record.</p> <p>11 BY MR. JOHNSON:</p> <p>12 Q. In 2011 and 2012 when you were assigned</p> <p>13 postings, do you recall how many postings you would</p> <p>14 be assigned in a single day?</p> <p>15 A. It varied. You didn't have the same</p> <p>16 amount -- well, you didn't turn in the same amount.</p> <p>17 Sometimes you turned in more. Sometimes you turned</p> <p>18 in less.</p> <p>19 Q. What about the number that you were</p> <p>20 assigned?</p> <p>21 A. In 2011, I think the amount was 50,</p> <p>22 I think.</p> <p>23 Q. And in 2012, how many posts were you</p> <p>24 assigned like that?</p>
<p style="text-align: right;">Page 58</p> <p>1 supervisor.</p> <p>2 Q. So in 2011, who was that? Who was</p> <p>3 giving you the assignments?</p> <p>4 A. Mike Duda I think.</p> <p>5 Q. And was there ever a time in 2011</p> <p>6 when someone besides Mike Duda gave the</p> <p>7 assignments?</p> <p>8 A. Yes. When Mike wouldn't be there or he</p> <p>9 had to go downtown, Tyrone Lewis would give us our</p> <p>10 assignments.</p> <p>11 Q. Do you recall specific instances</p> <p>12 where Tyrone Lewis gave you assignments in 2011?</p> <p>13 A. No.</p> <p>14 Q. In 2011, would Mike Duda give</p> <p>15 assignments to all of the water rate takers?</p> <p>16 A. Yes.</p> <p>17 Q. And in 2011 with -- I'm sorry. Strike</p> <p>18 that.</p> <p>19 In 2011 with reading meters, who would</p> <p>20 give the assignments?</p> <p>21 A. Mike Duda or Tyrone Lewis, whoever was</p> <p>22 in the office.</p> <p>23 Q. In 2012 with posting, who would give the</p> <p>24 assignments?</p>	<p style="text-align: right;">Page 60</p> <p>1 A. It went up to maybe 60 or 70.</p> <p>2 Q. In 2011, were you told how many posts</p> <p>3 out of that 50 you were expected to successfully</p> <p>4 complete?</p> <p>5 A. No.</p> <p>6 Q. In 2012, out of the 60 or 70, were you</p> <p>7 told how many posts you were expected to</p> <p>8 successfully complete?</p> <p>9 A. No.</p> <p>10 Q. When reading meters in 2011, how many</p> <p>11 meters were you typically assigned in a single</p> <p>12 day?</p> <p>13 A. The supervisor, either Mike Duda or</p> <p>14 Tyrone Lewis, would sometimes put in two rounds</p> <p>15 and sometimes they may put in three, depending on</p> <p>16 how many stops is in a particular book. One book</p> <p>17 may have 20 stops in it. They'll load that route</p> <p>18 into the G5 and then they'll give you another route</p> <p>19 that may have less than that.</p> <p>20 Q. So how many meters total on a single day</p> <p>21 in 2011?</p> <p>22 A. It varied because no two books were the</p> <p>23 same. These were meters that they hadn't put the</p> <p>24 automatic reading device on. So these were meters</p>

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<p style="text-align: right;">Page 61</p> <p>1 that you still had to like go into houses. Or if</p> <p>2 they were charitables, you were going into the</p> <p>3 police stations and the firehouses and the schools</p> <p>4 to read. So each book had not the same amount of</p> <p>5 meters in each book.</p> <p>6 Q. Can you provide a range of about how</p> <p>7 many meters you would be assigned in a single day</p> <p>8 in 2011?</p> <p>9 A. Sometimes 24, sometimes 30.</p> <p>10 Q. And what's a G5?</p> <p>11 A. A machine that we have that they load</p> <p>12 the routes into, the supervisor does, and it has a</p> <p>13 route number. And when you open it up with your</p> <p>14 ID, it tells you how many stops is in that</p> <p>15 particular book. If I open it up, the book may</p> <p>16 have 15 stops in it. And if I go to the next book,</p> <p>17 it may have 20 stops in it.</p> <p>18 Q. In 2011, were you ever assigned more</p> <p>19 than 30 meters to read in a single day?</p> <p>20 A. Yes.</p> <p>21 Q. What's the most that you were assigned</p> <p>22 to read in a single day in 2011?</p> <p>23 A. Maybe 40.</p> <p>24 Q. In 2012, how many meters were you</p>	<p style="text-align: right;">Page 63</p> <p>1 A. Yes.</p> <p>2 Q. And they provided it to you in 2012?</p> <p>3 A. Yes.</p> <p>4 Q. And this was a device that the</p> <p>5 supervisors would enter the assignment into for</p> <p>6 what meters you needed to read?</p> <p>7 A. Yes.</p> <p>8 Q. Was there any other equipment you</p> <p>9 were given in 2011 to help you read meters?</p> <p>10 A. They assigned us an iPad, but that's</p> <p>11 what we started doing the postings with.</p> <p>12 Q. Were you given any other equipment</p> <p>13 when you were assigned to read meters in 2011?</p> <p>14 A. No.</p> <p>15 Q. When you were assigned to read meters in</p> <p>16 2011, were you given a City phone?</p> <p>17 A. The City phone was given maybe back in</p> <p>18 2008 or '7.</p> <p>19 Q. And was it the same phone -- were you</p> <p>20 personally given a City phone in 2008?</p> <p>21 A. Yes.</p> <p>22 Q. And did you keep that same City phone</p> <p>23 through 2011 and 2012?</p> <p>24 A. No. The City changed companies, so they</p>
<p style="text-align: right;">Page 62</p> <p>1 assigned to read in a single day?</p> <p>2 A. Water meters, like I said, it varies</p> <p>3 from day-to-day.</p> <p>4 Q. Can you give a range of how many meters</p> <p>5 you --</p> <p>6 A. Between 20 and 40.</p> <p>7 Q. In 2011, were you told how many</p> <p>8 successful reads you were expected to make?</p> <p>9 A. No.</p> <p>10 Q. In 2011, were you told how many</p> <p>11 stops -- when you were reading meters, how many</p> <p>12 stops you were expected to get to?</p> <p>13 A. No.</p> <p>14 Q. In 2012, were you told when reading</p> <p>15 meters how many stops you were expected to get to?</p> <p>16 A. No.</p> <p>17 Q. In 2012 when reading meters, were you</p> <p>18 told how many successful reads you were expected</p> <p>19 to make?</p> <p>20 A. No.</p> <p>21 Q. The G5 is a piece of equipment that</p> <p>22 the City water department provides you with?</p> <p>23 A. Yes.</p> <p>24 Q. And they provided it to you in 2011?</p>	<p style="text-align: right;">Page 64</p> <p>1 gave us another phone.</p> <p>2 Q. At all times during 2011 and 2012 while</p> <p>3 working as a water rate taker, did you have a City</p> <p>4 phone?</p> <p>5 A. No.</p> <p>6 Q. When did you not have --</p> <p>7 A. I reported that to Mr. Caifano 2007,</p> <p>8 2008.</p> <p>9 Q. In 2011, did you always have a City</p> <p>10 phone?</p> <p>11 A. No.</p> <p>12 Q. When did you not have a City phone in</p> <p>13 2011?</p> <p>14 A. I didn't have a City phone for the</p> <p>15 entire year of 2011, for the entire year 2012.</p> <p>16 Q. Were you supposed to have a City phone</p> <p>17 in 2011 --</p> <p>18 A. Yes.</p> <p>19 Q. -- and 2012?</p> <p>20 Did you tell anyone that you did not</p> <p>21 have a phone?</p> <p>22 A. Yes, I told my supervisor first and</p> <p>23 then I reported it to Lenny that I did not have --</p> <p>24 I forget what they called it -- the City phone.</p>

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<p style="text-align: right;">Page 65</p> <p>1 Q. You told your supervisor first. Which 2 supervisor was that? 3 A. Mike Duda. 4 Q. When, in 2011? 5 A. Yes, in 2011. 6 Q. And you also told Len Caifano? 7 A. Yes. 8 Q. What did Mike Duda say when you told him 9 you didn't have a phone? 10 A. He told me he would let Lenny know 11 and they would see if they could get me a phone. 12 Q. Was this a single conversation you 13 had with Mike Duda about not having a phone? 14 A. Yes. 15 Q. When was that conversation? 16 A. Probably January of 2011. 17 Q. Do you remember what date in 18 January, 2011? 19 A. No. 20 Q. Did you ever in 2011 follow up with 21 Mike Duda about getting a City phone? 22 A. No. 23 Q. Why not? 24 A. Because he had told me previously that</p>	<p style="text-align: right;">Page 67</p> <p>1 A. And Tyrone Lewis. 2 Q. Did you have the G5 device when you were 3 assigned posting? 4 A. No. 5 Q. Did you have any device with you in 6 2011 when you were assigned posting that allowed 7 for GPS tracking? 8 A. They claimed the iPad that we now use 9 has a tracking device in it. 10 Q. Who is they? 11 A. The supervisors. 12 Q. Which supervisors in 2011? 13 A. Tyrone Lewis. 14 Q. When you were posting in 2011, did you 15 always have an iPad? 16 A. Yes, because we went from pen and pencil 17 to the iPad. 18 Q. In 2012, did you always have a G5 when 19 you were reading meters? 20 A. In 2000? 21 Q. '12 reading meters. 22 A. What meters, the charitables, the ones 23 in the G5 or -- 24 Q. Is there a difference between the</p>
<p style="text-align: right;">Page 66</p> <p>1 when they found the phone they would let me know. 2 They would give me a City phone when they found 3 one. So I'm assuming they never found one because 4 I never received one. 5 Q. In 2012 when you told the supervisor you 6 did not have a phone, what supervisor was that? 7 A. I told him in 2011. I didn't tell him 8 in '12. 9 Q. So in 2012, did you ever follow up with 10 any supervisor about not having a phone? 11 A. No. 12 Q. Why not? 13 A. Because like I said I assumed they 14 couldn't find one or they didn't have any spares. 15 Q. Did you have any device in 2011 that 16 allowed GPS tracking? 17 A. They said Nextel had a -- the G5 had a 18 tracking device in it, but I don't know. 19 Q. Who said that the G5 had a tracking -- 20 A. The supervisor did. 21 Q. Which supervisor? 22 A. Mike Duda. 23 Q. Did any other supervisor say that the 24 G5 in 2011 had a tracking device in it?</p>	<p style="text-align: right;">Page 68</p> <p>1 charitables and the ones in the G5s? 2 A. Yes. The charitables is the police 3 stations and the firehouses and the other ones are 4 the meters in people's houses. 5 Q. When you're reading meters in people's 6 houses in 2012, did you always have a G5? 7 A. If they assign me one, yes, because I 8 can only get it when the supervisor puts the routes 9 in it and give it to you. 10 Q. Was there ever a time reading meters in 11 2012 where you didn't have a G5? 12 A. Yes. When we went to the iPad, they did 13 it like in sections. During the spring before it 14 gets warm out, they give you the G5 to read the 15 charitables. When they run out of the charitables, 16 then they give you the iPad to do the posting. 17 Q. Did you have an iPad to help you read 18 meters? 19 A. No. iPad is only for posting. 20 Q. So when you were reading meters -- 21 A. I have a G5. 22 Q. -- in people's houses in 2012, was there 23 ever a time when you did not have a G5? 24 A. No.</p>

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<p style="text-align: right;">Page 69</p> <p>1 MR. JOHNSON: I was thinking we'd take a lunch 2 break around 12:30. Is that all right? 3 MR. GOMBERG: Whatever works. 4 BY MR. JOHNSON: 5 Q. Did you file a charge with the Equal 6 Employment Opportunity Commission on April 24th, 7 2012? 8 A. Yes. 9 Q. Did anyone assist you in drafting that 10 Equal Employment Opportunity Commission charge -- 11 for short, I'm going to call it EEOC -- did anyone 12 assist you in drafting the EEOC charge you filed 13 on April 24th, 2012? 14 A. The investigator at EEOC. 15 Q. Do you remember that investigator's 16 name? 17 A. No. 18 Q. Besides the investigator at EEOC, did 19 anyone else assist you in drafting the EEOC charge 20 that you filed on April 24th, 2012? 21 A. No. 22 MR. JOHNSON: Could you please mark this as 23 Exhibit 2 and pass it to the witness? 24</p>	<p style="text-align: right;">Page 71</p> <p>1 Q. Is that your signature on the bottom of 2 the page? 3 A. Yes. 4 Q. Actually this charge, although it says 5 EEOC at the top in the second row of boxes, did 6 you, in fact, file this charge with the Illinois 7 Department of Human Rights, for short IDHR? At the 8 very top under agency, do you see where there's a 9 box for IDHR or EEOC? 10 A. Yes. 11 Q. And is the box for IDHR checked? 12 A. Yes. 13 Q. And the box for EEOC is empty? 14 A. Yes. 15 Q. So did you file this charge with the 16 IDHR? 17 A. Illinois Department of Human Rights? 18 Q. Correct. 19 A. And EEOC? 20 Q. Did you file it with the Illinois 21 Department of Human Rights? 22 A. I thought I filed it with the 23 Department of EEOC. 24 Q. Can you please review the exhibit,</p>
<p style="text-align: right;">Page 70</p> <p>1 (WHEREUPON, a certain document was 2 marked Cage Deposition Exhibit 3 No. 2, for identification, as of 4 04-29-2015.) 5 BY MR. JOHNSON: 6 Q. Do you recognize Exhibit 2? 7 A. Yes. 8 Q. What is Exhibit 2? 9 A. A charge I filed with the EEOC. 10 Q. I believe Exhibit 2 is the complaint 11 you filed in the Illinois District Court for the 12 Northern District of Illinois, is that correct? 13 A. Yes. 14 Q. And are there any exhibits attached to 15 this complaint? 16 A. Yes. 17 Q. Can I please turn your exhibit -- excuse 18 me. Strike that. 19 Can I please turn your attention to 20 Exhibit A within Exhibit 2. Are you there? 21 A. Yes. 22 Q. Is this the EEOC charge that you filed 23 on April 24th, 2012? 24 A. Yes.</p>	<p style="text-align: right;">Page 72</p> <p>1 Exhibit A that you're looking at. This page within 2 Exhibit 2, is this a true and accurate copy of the 3 charge you filed with the Illinois Department of 4 Human Rights on April 24th, 2012? 5 A. Yes. 6 Q. Did you receive a right to sue letter 7 associated with this charge? 8 A. Yes. 9 Q. Can you please flip to Exhibit B within 10 Exhibit 2. It's two pages -- one, two, three, four 11 pages because they're front and back. 12 Are you on Exhibit B within Exhibit 2? 13 A. Yes. 14 Q. Is this a copy of the right to sue 15 letter associated with your charge from April 24th, 16 2012? 17 A. Yes. 18 Q. Does this appear to be a true and 19 accurate copy of the right to sue letter? 20 A. Yes. 21 Q. Did you tell any City employee that you 22 had filed this administrative charge with the IDHR 23 on April 24th, 2012? 24 A. No.</p>

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<p style="text-align: right;">Page 73</p> <p>1 Q. Why not?</p> <p>2 A. I didn't mention it to anyone. I kept</p> <p>3 it to myself.</p> <p>4 Q. So meaning at any time after April 24th,</p> <p>5 2012, did you tell anyone at the City about filing</p> <p>6 the charge?</p> <p>7 A. No.</p> <p>8 Q. Did you file an EEOC charge -- strike</p> <p>9 that.</p> <p>10 Did you file a charge with the IDHR on</p> <p>11 February 1st, 2013?</p> <p>12 A. Yes.</p> <p>13 Q. Did anyone assist you in drafting that</p> <p>14 IDHR charge?</p> <p>15 A. No, just the investigator that took the</p> <p>16 charge.</p> <p>17 Q. Do you remember the investigator's name?</p> <p>18 A. No.</p> <p>19 Q. Did anyone besides the investigator that</p> <p>20 took the charge assist you in drafting the IDHR</p> <p>21 charge you filed on February 1st, 2013?</p> <p>22 A. No.</p> <p>23 Q. If you could please flip to Exhibit C</p> <p>24 within Exhibit 2. Are you there?</p>	<p style="text-align: right;">Page 75</p> <p>1 A. Yes.</p> <p>2 Q. Does this appear to be a true and</p> <p>3 accurate copy of the charge you filed with</p> <p>4 IDHR that was filed on February 5th, 2013?</p> <p>5 A. Yes.</p> <p>6 Q. Did you receive a right to sue letter</p> <p>7 associated with this charge?</p> <p>8 A. Yes.</p> <p>9 Q. Can you please flip to Exhibit D within</p> <p>10 Exhibit 2. Is this a true and accurate copy of the</p> <p>11 right to sue letter associated with your IDHR</p> <p>12 charge from February 5th, 2013?</p> <p>13 A. Yes.</p> <p>14 Q. At any point after this charge was</p> <p>15 filed on February 5th, 2013, did you tell any</p> <p>16 City employee that you had filed this</p> <p>17 administrative charge?</p> <p>18 A. No.</p> <p>19 Q. Why not?</p> <p>20 A. I didn't tell anyone. I kept it to</p> <p>21 myself.</p> <p>22 Q. In 2012, did you file a grievance</p> <p>23 regarding being -- your belief that you were</p> <p>24 discriminated or retaliated against?</p>
<p style="text-align: right;">Page 74</p> <p>1 A. Yes.</p> <p>2 Q. Is this the charge you filed with the</p> <p>3 IDHR on February 1st, 2013?</p> <p>4 A. Yes.</p> <p>5 Q. Is that your signature at the bottom of</p> <p>6 the page?</p> <p>7 A. Yes.</p> <p>8 Q. You signed on February 1st, 2013?</p> <p>9 A. Yes.</p> <p>10 Q. If you look at the stamp, and I know</p> <p>11 it's a little faded, in the middle of the page, do</p> <p>12 you see where it says February 5th, 2013, received?</p> <p>13 So above the word "For." In capital letters,</p> <p>14 there's the word "For."</p> <p>15 A. On the notary stamp?</p> <p>16 Q. Yes, I believe that's a notary stamp --</p> <p>17 no, I'm sorry. Strike that.</p> <p>18 In the very middle of the page, it says,</p> <p>19 "Feb 05, 2013." Right underneath that date, it</p> <p>20 says, "Received."</p> <p>21 A. Yes.</p> <p>22 Q. So was this charge -- although you</p> <p>23 signed it on February 1st, 2013, does it appear</p> <p>24 this charge was filed on February 5th, 2013?</p>	<p style="text-align: right;">Page 76</p> <p>1 A. Repeat that.</p> <p>2 Q. I'm sorry. So I'll rephrase.</p> <p>3 In 2012, did you ever file a grievance</p> <p>4 relating to your belief that you were discriminated</p> <p>5 against?</p> <p>6 A. Yes.</p> <p>7 Q. What grievance did you file in 2012?</p> <p>8 A. I filed a grievance with the union.</p> <p>9 Q. Do you remember what date?</p> <p>10 A. It was within five days after I got the</p> <p>11 suspension. So I was on suspension when I filed</p> <p>12 the grievance with the union.</p> <p>13 Q. What suspension?</p> <p>14 A. I think this -- the one from January,</p> <p>15 2012.</p> <p>16 Q. What date did you receive the suspension</p> <p>17 in January, 2012?</p> <p>18 A. I don't know the date. I just know the</p> <p>19 month and the year.</p> <p>20 Q. And you filed a grievance with the union</p> <p>21 about your belief that you were discriminated</p> <p>22 against five days after receiving --</p> <p>23 A. Well --</p> <p>24 Q. -- the suspension in January, 2012?</p>

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<p style="text-align: right;">Page 77</p> <p>1 A. Yes. According to this, it had to be in</p> <p>2 March because the charge was on the 24th, but the</p> <p>3 suspension didn't happen until March 19th.</p> <p>4 Q. I'm sorry. According to what?</p> <p>5 A. This paper here. It's right here.</p> <p>6 Q. Exhibit 2?</p> <p>7 A. Yes, on Page 7.</p> <p>8 Q. What are you referring to on Page 7 of</p> <p>9 Exhibit 2?</p> <p>10 A. The date the suspension started.</p> <p>11 Q. Where exactly on the page are you</p> <p>12 referring to?</p> <p>13 A. 36.</p> <p>14 Q. Can you read the portion of</p> <p>15 Paragraph 36?</p> <p>16 A. "On March 19, 2012, plaintiff was</p> <p>17 informed that she was being issued a five-day</p> <p>18 disciplinary suspension by Chief Water Rate</p> <p>19 Taker Len Califano (non-African American), for her</p> <p>20 allegedly 'poor' job performance on January 24th,</p> <p>21 2012."</p> <p>22 Q. So five days before you filed a</p> <p>23 grievance with the union about your belief that</p> <p>24 you were discriminated against, which of these</p>	<p style="text-align: right;">Page 79</p> <p>1 A. Yes, I did.</p> <p>2 Q. When did you inquire?</p> <p>3 A. After the five days were up, I called</p> <p>4 the union and asked them what had happened because</p> <p>5 they have to sign off on it and then you take the</p> <p>6 copy back to Len Caifano. He said they never got a</p> <p>7 response from the City.</p> <p>8 Q. Who is he?</p> <p>9 A. The union steward.</p> <p>10 Q. Who was the union steward at that time?</p> <p>11 A. Tom Durkin I think.</p> <p>12 Q. And is that who you called five days</p> <p>13 after you filed the grievance with the union?</p> <p>14 A. Yes.</p> <p>15 Q. And Tom Durkin in response to your</p> <p>16 question said that the City had not filed a</p> <p>17 response?</p> <p>18 A. Right.</p> <p>19 Q. Did you have any follow-up</p> <p>20 correspondence with Tom Durkin about this union</p> <p>21 grievance that you filed about five days after</p> <p>22 March 19th, 2012?</p> <p>23 A. No, no.</p> <p>24 Q. Did you have any follow-up</p>
<p style="text-align: right;">Page 78</p> <p>1 dates in Paragraph 36 of Exhibit 2 was what you</p> <p>2 were referring to when it was five days before</p> <p>3 you filed the union grievance?</p> <p>4 A. March 19th.</p> <p>5 Q. So it was March 19th, 2012. Five days</p> <p>6 after that you filed a union grievance about being</p> <p>7 discriminated against?</p> <p>8 A. Yes.</p> <p>9 Q. Was it exactly five days after</p> <p>10 March 19, 2012?</p> <p>11 A. It was during that time because they</p> <p>12 only give you five days to file. Once you get a</p> <p>13 suspension, you have five days to file a grievance</p> <p>14 against it.</p> <p>15 Q. What, if anything, did the union do in</p> <p>16 response to you filing a grievance?</p> <p>17 A. Nothing.</p> <p>18 Q. Did you receive any correspondence</p> <p>19 after you filed a grievance about five days after</p> <p>20 March 19th, 2012?</p> <p>21 A. No.</p> <p>22 Q. Did you inquire as to why you had not</p> <p>23 received any correspondence after filing this</p> <p>24 union grievance?</p>	<p style="text-align: right;">Page 80</p> <p>1 correspondence with anyone at the City regarding</p> <p>2 this union grievance?</p> <p>3 A. No.</p> <p>4 Q. Did you have any follow-up</p> <p>5 correspondence with anyone after this conversation</p> <p>6 with Tom Durkin, any follow-up correspondence with</p> <p>7 anyone at the union about this union grievance?</p> <p>8 A. No.</p> <p>9 Q. Why didn't you inquire further after</p> <p>10 Tom Durkin told you that the City had not filed a</p> <p>11 response?</p> <p>12 A. It seemed to be a pattern. I have filed</p> <p>13 a lot of grievances with the union. You file the</p> <p>14 papers. You get the union's signature on it. You</p> <p>15 in turn take it back to Lenny. And it disappears</p> <p>16 after that. You never hear from him. Nobody even</p> <p>17 recalls seeing it from the City side. The union</p> <p>18 has a copy. I have a copy. But that's it.</p> <p>19 Q. Did you tell any of your supervisors</p> <p>20 at the City water department that you had made this</p> <p>21 union grievance about five days after March 19th,</p> <p>22 2012?</p> <p>23 A. Yes, I did because I have to get the</p> <p>24 forms from them.</p>

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<p style="text-align: right;">Page 81</p> <p>1 Q. Who did you tell?</p> <p>2 A. Tyrone Lewis.</p> <p>3 Q. Did you tell him before or after you had</p> <p>4 filed the union grievance?</p> <p>5 A. When I received the paper from him, I</p> <p>6 asked him for a grievance form and he gave me the</p> <p>7 grievance form.</p> <p>8 Q. Was this before you filed the union</p> <p>9 grievance?</p> <p>10 A. Yes. You get the paperwork from him,</p> <p>11 then you fill it out, and then you take it to the</p> <p>12 union.</p> <p>13 Q. Before filing this union grievance, did</p> <p>14 you speak with anyone else employed by the City</p> <p>15 water department about your intention to file a</p> <p>16 union grievance?</p> <p>17 A. No.</p> <p>18 Q. Did you tell anyone -- after you filed</p> <p>19 the union grievance, did you tell anyone at the</p> <p>20 City water department that you had filed the</p> <p>21 union grievance?</p> <p>22 A. No.</p> <p>23 Q. Why not?</p> <p>24 A. Lenny had a copy.</p>	<p style="text-align: right;">Page 83</p> <p>1 or March, 2012, the grievance we just talked about?</p> <p>2 A. That one in January. I done filed so</p> <p>3 many I'm not sure if I filed one in March. I know</p> <p>4 about the one in January. But the one in March is</p> <p>5 for the one in January.</p> <p>6 Q. The union grievance that we discussed a</p> <p>7 minute ago --</p> <p>8 A. Is this.</p> <p>9 Q. -- was filed five days after March 19th,</p> <p>10 2012, is that correct?</p> <p>11 A. Right.</p> <p>12 Q. Is there another union grievance that</p> <p>13 you filed claiming that you had been discriminated</p> <p>14 against that you filed in January, 2012, separate</p> <p>15 from this one in March of 2012?</p> <p>16 A. No.</p> <p>17 Q. Did you also state that you had been</p> <p>18 retaliated against in this union grievance you</p> <p>19 filed about five days after March 19th, 2012?</p> <p>20 A. Yes.</p> <p>21 Q. Did you make any other complaints in</p> <p>22 this union grievance that you filed about five days</p> <p>23 after March 19th, 2012, besides your belief that</p> <p>24 you had been discriminated against and besides your</p>
<p style="text-align: right;">Page 82</p> <p>1 Q. How do you know Lenny had a copy?</p> <p>2 A. I gave it to him. I hand delivered it.</p> <p>3 Q. You hand delivered a copy of --</p> <p>4 A. Of the grievance from the union with the</p> <p>5 union signature. I took it back to Lenny and gave</p> <p>6 it to Lenny.</p> <p>7 Q. Besides Lenny and Tyrone, are you aware</p> <p>8 of anyone else who knew about you having filed</p> <p>9 this union grievance about five days after</p> <p>10 March 19th, 2012?</p> <p>11 A. No.</p> <p>12 Q. Is there any other union grievance --</p> <p>13 excuse me. Strike that.</p> <p>14 Is there any other grievance that you</p> <p>15 filed in 2012 about your belief of being</p> <p>16 discriminated against besides this one shortly</p> <p>17 after March 19th that we've already discussed?</p> <p>18 A. I don't think so, no.</p> <p>19 Q. In 2012 -- strike that.</p> <p>20 In 2012, did you ever file a grievance</p> <p>21 claiming that you were retaliated against?</p> <p>22 A. This grievance here, the one in January,</p> <p>23 2012.</p> <p>24 Q. I'm sorry. Do you mean January, 2012,</p>	<p style="text-align: right;">Page 84</p> <p>1 belief that you had been retaliated against?</p> <p>2 A. No.</p> <p>3 Q. Did you file any other grievance in</p> <p>4 2012 besides this one in March complaining that</p> <p>5 you believe you were retaliated against?</p> <p>6 A. Yes. I think I filed one in November.</p> <p>7 Q. When you say "filed one," where did you</p> <p>8 file it with?</p> <p>9 A. The union.</p> <p>10 Q. When in November exactly?</p> <p>11 A. The end of November.</p> <p>12 Q. Do you remember the exact date?</p> <p>13 A. Not the exact date. I just remember the</p> <p>14 month and the year.</p> <p>15 Q. Did you get any correspondence from the</p> <p>16 union after filing this complaint at the end of</p> <p>17 November?</p> <p>18 A. No.</p> <p>19 Q. Did you inquire with the union -- did</p> <p>20 you ask about the status of your grievance after</p> <p>21 filing it?</p> <p>22 A. Not from the union. From Lenny.</p> <p>23 Q. What did you ask Lenny?</p> <p>24 A. What happened to my grievance.</p>

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<p style="text-align: right;">Page 85</p> <p>1 Q. When did you ask that to Lenny?</p> <p>2 A. After the five days.</p> <p>3 Q. Was this in person?</p> <p>4 A. Yes.</p> <p>5 Q. Where were you when you asked Lenny</p> <p>6 after five days about the grievance?</p> <p>7 A. 39th and Iron.</p> <p>8 Q. What, if anything, did Lenny say?</p> <p>9 A. He said he don't know what happened to</p> <p>10 it. He'll look into it.</p> <p>11 Q. And did you have any correspondence or</p> <p>12 conversation with Lenny after that about the end</p> <p>13 of November grievance you had filed?</p> <p>14 A. No.</p> <p>15 Q. Did you follow up with any City employee</p> <p>16 besides Lenny about the grievance you filed at the</p> <p>17 end of November?</p> <p>18 A. No.</p> <p>19 Q. Why not?</p> <p>20 A. Because I knew what happened to it.</p> <p>21 Q. What happened to it? What did you</p> <p>22 believe happened to it?</p> <p>23 A. The same thing that happened to all the</p> <p>24 other ones. Once I walked out, it hit the garbage</p>	<p style="text-align: right;">Page 87</p> <p>1 November, 2012, after that, did you tell anyone at</p> <p>2 the City Law Department that you had made this</p> <p>3 grievance?</p> <p>4 A. No.</p> <p>5 Q. Why not?</p> <p>6 A. Because according to the grievance form,</p> <p>7 once you give it to Lenny, Lenny is supposed to</p> <p>8 send it through the proper channels.</p> <p>9 Q. Did you personally hand the grievance</p> <p>10 form to Lenny regarding the grievance at the end of</p> <p>11 November, 2012?</p> <p>12 A. Yes, I did.</p> <p>13 Q. Did you hand a copy of the grievance</p> <p>14 to anyone else?</p> <p>15 A. Just the union and to Lenny.</p> <p>16 Q. Did you send via mail or email the</p> <p>17 grievance to anyone else?</p> <p>18 A. No. Lenny is supposed to do that.</p> <p>19 Q. In 2012, did you ever complain to the</p> <p>20 personnel section of the water department about</p> <p>21 being discriminated against?</p> <p>22 A. No.</p> <p>23 Q. In 2012, did you ever complain to the</p> <p>24 personnel section of the water department about</p>
<p style="text-align: right;">Page 86</p> <p>1 can. That's why nobody has any record of it but</p> <p>2 me and the union.</p> <p>3 Q. Did you follow up with Tom Durkin after</p> <p>4 you had filed this grievance with the union at the</p> <p>5 end of November, 2012?</p> <p>6 A. Yes. I asked him -- well, Tom Durkin</p> <p>7 wasn't the union steward then. He had retired.</p> <p>8 They had another man there. And for some reason</p> <p>9 nobody can find any files.</p> <p>10 Q. Is that what Tom Durkin told you?</p> <p>11 A. Well, Tom Durkin had gotten ill, so he</p> <p>12 had left the union hall. They had another man,</p> <p>13 Mr. Tierney, and he didn't see any record of it</p> <p>14 anywhere.</p> <p>15 Q. Did you speak with Mr. Tierney?</p> <p>16 A. Yes.</p> <p>17 Q. After speaking with Mr. Tierney, did you</p> <p>18 follow up again with anyone representing the union</p> <p>19 about the grievance you filed at the end of</p> <p>20 November?</p> <p>21 A. No.</p> <p>22 Q. After you had filed this grievance</p> <p>23 with the union claiming that you believe you were</p> <p>24 retaliated against which you filed in the end of</p>	<p style="text-align: right;">Page 88</p> <p>1 being retaliated against?</p> <p>2 A. No.</p> <p>3 Q. In 2012, did you ever complain to the</p> <p>4 City of Chicago Department of Human Resources about</p> <p>5 being discriminated against?</p> <p>6 A. No.</p> <p>7 Q. In 2012, did you ever complain to the</p> <p>8 City of Chicago Department of Human Resources about</p> <p>9 being retaliated against?</p> <p>10 A. No.</p> <p>11 Q. In 2012, besides notifying Tyrone Lewis</p> <p>12 and Len Caifano about your union grievance in</p> <p>13 March, 2012, and November, 2012, did you complain</p> <p>14 to any other City employee about being</p> <p>15 discriminated against in 2012?</p> <p>16 A. No.</p> <p>17 Q. Besides notifying Tyrone Lewis and</p> <p>18 Len Caifano about the union grievance in March,</p> <p>19 2012, and November, 2012, did you complain to</p> <p>20 any City employee about being retaliated against?</p> <p>21 A. No.</p> <p>22 MR. JOHNSON: I think this is a good place to</p> <p>23 take a lunch break.</p> <p>24 MR. GOMBERG: Okay. Let's take a break.</p>

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<p style="text-align: right;">Page 89</p> <p>1 (WHEREUPON, a lunch recess was had</p> <p>2 from 12:31 to 1:39 p.m.)</p> <p>3 BY MR. JOHNSON:</p> <p>4 Q. So, Ms. Cage, when we left off before</p> <p>5 the break we were talking about grievances you</p> <p>6 filed with the union, correct?</p> <p>7 A. Yes.</p> <p>8 MR. JOHNSON: All right. Can we please mark</p> <p>9 these as Group Exhibit 3?</p> <p>10 (WHEREUPON, a certain document was</p> <p>11 marked Cage Deposition Group</p> <p>12 Exhibit No. 3, for identification,</p> <p>13 as of 04-29-2015.)</p> <p>14 BY MR. JOHNSON:</p> <p>15 Q. Can you please review Group Exhibit 3?</p> <p>16 (WHEREUPON, there was a short</p> <p>17 interruption.)</p> <p>18 BY MR. JOHNSON:</p> <p>19 Q. Are you finished reviewing Group</p> <p>20 Exhibit 3? Are you finished reviewing the</p> <p>21 documents?</p> <p>22 A. Yes.</p> <p>23 Q. Do you recognize these documents in</p> <p>24 Group Exhibit 3?</p>	<p style="text-align: right;">Page 91</p> <p>1 Q. And on Bates No. 460, is that your</p> <p>2 signature in the middle of the page?</p> <p>3 A. Yes.</p> <p>4 Q. And you signed it on September 9th,</p> <p>5 2009?</p> <p>6 A. Yes.</p> <p>7 Q. Just to be clear, these are union</p> <p>8 grievances that you filed between July -- I'm</p> <p>9 sorry. Excuse me -- that you signed between</p> <p>10 September, 2009, and April, 2014, correct?</p> <p>11 A. Yes.</p> <p>12 Q. Aside from the grievances reflected</p> <p>13 in this group exhibit, did you file any other</p> <p>14 union grievances between 2005 and 2014?</p> <p>15 A. No.</p> <p>16 Q. After filing these union grievances,</p> <p>17 did you tell anyone at the City that you had filed</p> <p>18 the grievance?</p> <p>19 A. No, not about these grievances, no.</p> <p>20 Q. Can you please turn back to Exhibit 2,</p> <p>21 which is the complaint filed by plaintiff in the</p> <p>22 United States District Court for the Northern</p> <p>23 District of Illinois.</p> <p>24 On Page 10, the top of Page 10,</p>
<p style="text-align: right;">Page 90</p> <p>1 A. Yes, I do.</p> <p>2 Q. What do you recognize them as?</p> <p>3 A. These are grievances I filed with the</p> <p>4 union.</p> <p>5 Q. On page Bates No. 454 -- the Bates</p> <p>6 numbers are on the bottom right-hand corner of each</p> <p>7 page -- is that your signature in the middle of the</p> <p>8 page?</p> <p>9 A. Yes.</p> <p>10 Q. And is it correct that you signed it on</p> <p>11 April 1st, 2014?</p> <p>12 A. Yes.</p> <p>13 Q. On Bates Page 456, is that your</p> <p>14 signature on the middle of the page?</p> <p>15 A. Yes.</p> <p>16 Q. Is it correct that you signed it on</p> <p>17 June 7th, 2012?</p> <p>18 A. Yes.</p> <p>19 Q. On Bates Page 458, is that your</p> <p>20 signature in the middle of the page?</p> <p>21 A. Yes.</p> <p>22 Q. Is it correct that you signed on</p> <p>23 March 21st, 2012?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 92</p> <p>1 Paragraph 47, do you see where it says -- I'll</p> <p>2 wait. Sorry.</p> <p>3 A. Okay.</p> <p>4 Q. It says, "On September 1st, 2005,</p> <p>5 plaintiff engaged in protected activity when she</p> <p>6 filed a charge of discrimination (2005CF0603) with</p> <p>7 the Illinois Department of Human Rights," is that</p> <p>8 correct?</p> <p>9 A. Yes.</p> <p>10 Q. Do you remember filing Charge</p> <p>11 No. 2005CF0603 with the Illinois Department of</p> <p>12 Human Rights?</p> <p>13 A. Yes, I do.</p> <p>14 Q. Between 2005 and 2012, did you file</p> <p>15 any other complaints with the Illinois Department</p> <p>16 of Human Rights?</p> <p>17 A. Yes.</p> <p>18 Q. What other complaints did you file?</p> <p>19 A. The one on April 24th of 2012 and</p> <p>20 October 26th, 2012.</p> <p>21 Q. These are the charges mentioned. So</p> <p>22 for the April 24th, 2012, that's referring to the</p> <p>23 charge mentioned in Paragraph 51 of the complaint?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 93</p> <p>1 Q. And October 26, 2012, is referring to</p> <p>2 the charge mentioned in Paragraph 51 of the</p> <p>3 complaint?</p> <p>4 A. Yes.</p> <p>5 Q. I'm sorry. Strike that.</p> <p>6 Paragraph 52 of the complaint</p> <p>7 mentions -- sorry.</p> <p>8 What charge did you file on October 26,</p> <p>9 2012?</p> <p>10 A. It says here for a seven-day suspension.</p> <p>11 Q. On the next page, Page 11 of Exhibit 2,</p> <p>12 Paragraph 53 of the complaint, it says, "On</p> <p>13 February 1st, 2013, plaintiff engaged in protected</p> <p>14 activity when she filed yet another charge of</p> <p>15 discrimination (No. 2013CF1663) with the Illinois</p> <p>16 Department of Human Rights alleging that defendant</p> <p>17 had retaliated against her" -- sorry -- "alleging</p> <p>18 that defendant had retaliated against when it</p> <p>19 suspended her on October 26th, 2012, in retaliation</p> <p>20 for filing her April 24th, 2012 charge of</p> <p>21 discrimination. See Exhibit C attached hereto."</p> <p>22 So is the charge filed with the Illinois</p> <p>23 Department of Human Rights on February 1st, 2013,</p> <p>24 relating to the suspension you received on</p>	<p style="text-align: right;">Page 95</p> <p>1 Bates Page 1970, is that your signature at the</p> <p>2 bottom?</p> <p>3 A. Yes.</p> <p>4 Q. And did you sign on April 23rd, 2012?</p> <p>5 A. Yes.</p> <p>6 Q. Is this the questionnaire that you</p> <p>7 filled out with the Illinois Department of Human</p> <p>8 Rights on April 23rd, 2012?</p> <p>9 A. Yes.</p> <p>10 Q. And if you look at the top of Page 1969,</p> <p>11 Bates 1969, under 6-A, it says, "Suspension for</p> <p>12 five days," is that correct?</p> <p>13 A. Yes.</p> <p>14 Q. And date of action, it's January 24th,</p> <p>15 2012, is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. So was this questionnaire related to</p> <p>18 the suspension you received for five days on</p> <p>19 January 24th, 2012?</p> <p>20 A. Yes.</p> <p>21 Q. And was this questionnaire filled</p> <p>22 out as part of the process of filing Charge</p> <p>23 No. 2012CA3088 with IDHR which you signed that</p> <p>24 charge on April 24th, 2012?</p>
<p style="text-align: right;">Page 94</p> <p>1 October 26th, 2012?</p> <p>2 A. Yes.</p> <p>3 Q. Are there any other charges that you</p> <p>4 filed with the Illinois Department of Human Rights</p> <p>5 between 2005 and 2013?</p> <p>6 A. No.</p> <p>7 Q. Are there any EEOC charges that you</p> <p>8 filed between September 1st, 2005, and April 24th,</p> <p>9 2012?</p> <p>10 A. No.</p> <p>11 Q. And for any of the IDHR charges you</p> <p>12 filed between 2005 and 2012, did you complain --</p> <p>13 strike that.</p> <p>14 Did you tell anyone at the City that you</p> <p>15 had filed the charge?</p> <p>16 A. No.</p> <p>17 MR. JOHNSON: Can we please mark this as</p> <p>18 Exhibit 4?</p> <p>19 (WHEREUPON, a certain document was</p> <p>20 marked Cage Deposition Exhibit</p> <p>21 No. 4, for identification, as of</p> <p>22 04-29-2015.)</p> <p>23 BY MR. JOHNSON:</p> <p>24 Q. Can you please review Exhibit 4. On</p>	<p style="text-align: right;">Page 96</p> <p>1 A. Yes.</p> <p>2 MR. JOHNSON: Can you please mark Exhibit 5?</p> <p>3 (WHEREUPON, a certain document was</p> <p>4 marked Cage Deposition Exhibit</p> <p>5 No. 5, for identification, as of</p> <p>6 04-29-2015.)</p> <p>7 BY MR. JOHNSON:</p> <p>8 Q. Please review Exhibit 5. On Bates</p> <p>9 Page 2956, is that your signature at the bottom of</p> <p>10 the page?</p> <p>11 A. Yes.</p> <p>12 Q. Did you sign on December 6th, 2012?</p> <p>13 A. Yes.</p> <p>14 Q. And if you look at the top of Bates</p> <p>15 Page 2955 under 6-A, it says, "Suspension</p> <p>16 10-26-2012," is that correct?</p> <p>17 A. Yes.</p> <p>18 Q. And under date of action, it says,</p> <p>19 "October 26, 2012," is that correct?</p> <p>20 A. Yes.</p> <p>21 Q. So is this the questionnaire you filled</p> <p>22 out with IDHR in connection with the charge that</p> <p>23 was filed with IDHR on February 5th, 2013?</p> <p>24 A. You said February the 5th? Did you say</p>

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<p style="text-align: right;">Page 97</p> <p>1 February the 5th?</p> <p>2 Q. Yes.</p> <p>3 A. Yes.</p> <p>4 Q. Did you file any internal complaints</p> <p>5 with the City of Chicago between 2005 and 2012?</p> <p>6 A. Yes, I did with personnel.</p> <p>7 Q. What complaint did you file with</p> <p>8 personnel?</p> <p>9 A. I think it was discrimination.</p> <p>10 Q. When did you file this complaint with</p> <p>11 personnel?</p> <p>12 A. I remember the year 2012. I don't</p> <p>13 remember the date or the month.</p> <p>14 Q. What discrimination were you complaining</p> <p>15 about in that 2012 internal complaint with</p> <p>16 personnel?</p> <p>17 A. The way Lenny Caifano was treating</p> <p>18 younger rate takers than myself.</p> <p>19 Q. Did you file any other internal</p> <p>20 complaints between 2005 and 2012?</p> <p>21 A. I don't know if you would call it a</p> <p>22 complaint. Personnel called me downtown and I went</p> <p>23 down there and gave a statement.</p> <p>24 Q. When did this happen?</p>	<p style="text-align: right;">Page 99</p> <p>1 A. Yes.</p> <p>2 Q. Why didn't you mention that comment</p> <p>3 in any of your complaints with the IDHR, the EEOC,</p> <p>4 personnel of the City of Chicago, personnel of the</p> <p>5 water department, or union grievance?</p> <p>6 MR. GOMBERG: I'm going to object to the</p> <p>7 question. You're assuming facts that are not in</p> <p>8 evidence. You don't know that she did or didn't.</p> <p>9 So your question is presuming she didn't.</p> <p>10 BY MR. JOHNSON:</p> <p>11 Q. Did you mention that comment, old nigger</p> <p>12 bitch, from January 24th, 2012, in any of your</p> <p>13 charges with Chicago personnel department, water</p> <p>14 department personnel, IDHR, EEOC, or union</p> <p>15 grievance?</p> <p>16 A. In the statement that I gave back to the</p> <p>17 City, I left it open. I put derogatory remarks.</p> <p>18 Q. I'm sorry. What statement that you gave</p> <p>19 back to the City?</p> <p>20 A. The papers that they sent me when I</p> <p>21 filed this charge and my answers to the</p> <p>22 derogatories (sic).</p> <p>23 Q. For which charge?</p> <p>24 A. The one for 1/24/12.</p>
<p style="text-align: right;">Page 98</p> <p>1 A. 2012.</p> <p>2 Q. Do you remember why they called you</p> <p>3 downtown?</p> <p>4 A. I forget now. I just know the person</p> <p>5 that called me.</p> <p>6 Q. Was this for a complaint that you raised</p> <p>7 with personnel?</p> <p>8 A. I think so, yes.</p> <p>9 Q. And this is different from the</p> <p>10 complaint you raised with personnel in 2012 for</p> <p>11 discrimination?</p> <p>12 A. I only went down there one time. So it</p> <p>13 was in 2012.</p> <p>14 Q. Was this -- in 2012, the complaint with</p> <p>15 personnel, was this with department of water</p> <p>16 personnel or City of Chicago personnel?</p> <p>17 A. City of Chicago personnel.</p> <p>18 Q. Was there any other internal complaint</p> <p>19 that you filed with the City of Chicago between</p> <p>20 2005 and 2012?</p> <p>21 A. No.</p> <p>22 Q. You testified earlier that on</p> <p>23 January 24th, 2012, Len Caifano referred to you</p> <p>24 as an old nigger bitch, is that correct?</p>	<p style="text-align: right;">Page 100</p> <p>1 Q. The charge for 1/24/12 that you filed</p> <p>2 where?</p> <p>3 A. With the -- with the City.</p> <p>4 Q. Are you referring to your IDHR charge?</p> <p>5 A. No. It was with the City. It was on a</p> <p>6 form like this here where they had sent me -- the</p> <p>7 City had sent me a statement like this and I had to</p> <p>8 give my answers. I think it was about 23 questions</p> <p>9 on there.</p> <p>10 Q. Are you referring to the</p> <p>11 interrogatories --</p> <p>12 A. That's it.</p> <p>13 Q. -- as a part of this lawsuit? Is that a</p> <p>14 yes?</p> <p>15 A. Yes.</p> <p>16 Q. And was that the only -- in your belief,</p> <p>17 was that the only time you mentioned the old nigger</p> <p>18 bitch comment in any of the complaints that you</p> <p>19 filed either with City of Chicago Department of</p> <p>20 Human Relations, the personnel department of water</p> <p>21 department, IDHR, EEOC, or union grievance? Was</p> <p>22 that the only time in the interrogatory answers?</p> <p>23 A. That was the only question I put that</p> <p>24 answer to.</p>

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<p style="text-align: right;">Page 101</p> <p>1 Q. Was that the only time you mentioned the 2 old nigger bitch comment? 3 A. Yes. 4 MR. JOHNSON: Can you please mark this as 5 Exhibit 6? Thank you. 6 (WHEREUPON, a certain document was 7 marked Cage Deposition Exhibit 8 No. 6, for identification, as of 9 04-29-2015.) 10 BY MR. JOHNSON: 11 Q. Can you please review Exhibit 6. Do you 12 recognize Exhibit 6? 13 A. Yes. 14 Q. Is Exhibit 6 your answers to 15 plaintiff's -- strike that. 16 Is Exhibit 6 your answer to defendant's 17 first set of interrogatories? 18 A. Yes. 19 Q. If you flip to the very back of this 20 document, on the page that says "Verification," the 21 absolute back, is that your signature? 22 A. Yes. 23 Q. And you signed it on March 11, 2015? 24 A. Yes.</p>	<p style="text-align: right;">Page 103</p> <p>1 always taken out of context and Lenny always took 2 it the wrong way. He wrote reports that 3 substantiated what he said, not what I said, and 4 I'd end up getting suspended again. 5 Q. We'll come back to Exhibit 6 in a little 6 while. 7 Did you serve a five-day suspension from 8 March 19th to March 26th, 2012? 9 A. Yes. 10 Q. Do you know who initiated this 11 discipline? 12 A. Mike Duda wrote it up and Lenny signed 13 off on it. 14 Q. How do you know Mike Duda wrote it up? 15 A. Because I think the paper that I had, he 16 asked me to sign it and I wouldn't sign. 17 Q. What paper that you had? 18 A. Whenever they give you a suspension, 19 they give you a paper and you can either sign it or 20 not sign it saying you agree with the charges that 21 they're suspending you for. 22 MR. JOHNSON: Can you read back the witness' 23 answer to the last two questions, please? 24</p>
<p style="text-align: right;">Page 102</p> <p>1 Q. And you believe that in these 2 interrogatory answers you stated that Len Caifano 3 called you a, quote, "old nigger bitch," is that 4 right? 5 A. Yes. 6 Q. Where exactly in this document did you 7 state that? 8 A. The words aren't written as stated. 9 Discriminating comments. 10 Q. So did you state that exactly anywhere 11 in this document? 12 A. Not the exact words, no. 13 Q. Why didn't you state those exact words, 14 that comment made by Len Caifano? Why didn't you 15 include that in your answers to this interrogatory? 16 A. Because I could have elaborated on it 17 later, elaborate exactly what was said. That's why 18 I put down discriminating comments. 19 Q. And why didn't you report that comment 20 made by Len Caifano, quote, "old nigger bitch," in 21 any other complaint or charge that you filed since 22 2005? 23 A. As I said earlier, I was trying to get 24 out of there to retire and everything I said was</p>	<p style="text-align: right;">Page 104</p> <p>1 (WHEREUPON, the record was read 2 by the reporter as requested.) 3 BY MR. JOHNSON: 4 Q. How do you know Lenny signed off on it? 5 A. Lenny is Mike's supervisor. So anything 6 that Mike writes up Lenny has the last say-so. 7 Q. How do you know that anything Mike 8 writes up Lenny has last say-so? 9 A. He takes it to Lenny to be approved. 10 Q. And when you say "it," what are you 11 referring to? 12 A. Any papers that have to deal with 13 suspension, anything that has to do with your work. 14 Q. How do you know -- and this is in 2012? 15 A. Yes. 16 Q. How do you know that in 2012 Mike Duda 17 took anything that had to do with suspension or 18 anything having to do with being written up to 19 Len Caifano? 20 A. Because when you go into the 21 pre-disciplinary hearing, Len Caifano's signature 22 is on the documents. 23 Q. Is there any other basis for your 24 belief that Mike Duda initiated the five-day</p>

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<p style="text-align: right;">Page 105</p> <p>1 suspension from March 19th to March 26th, 2012?</p> <p>2 A. I don't understand the question.</p> <p>3 Q. So you indicated that -- I asked how</p> <p>4 you know that Mike Duda initiated the discipline</p> <p>5 and you said that you know because Mike Duda wrote</p> <p>6 it up. So I'm asking besides Mike Duda writing it</p> <p>7 up is there anything else that's the basis for your</p> <p>8 belief that Mike Duda initiated the discipline?</p> <p>9 A. I still don't understand the question.</p> <p>10 You say is there any --</p> <p>11 Q. Is there any other way that you know</p> <p>12 how -- excuse me. Strike that.</p> <p>13 Is there anything else besides Mike Duda</p> <p>14 writing it up that leads you to believe that Mike</p> <p>15 Duda initiated the discipline?</p> <p>16 A. Well, Mike Duda was the supervisor at</p> <p>17 that time. So when you bring the work back in,</p> <p>18 Mike Duda sees it and he in turn sends it down,</p> <p>19 down to 39th and Iron to Lenny.</p> <p>20 Q. Is there any other reason why you</p> <p>21 believe that Lenny initiated the discipline</p> <p>22 besides your belief that Lenny signed off on it?</p> <p>23 A. That Lenny initiated the --</p> <p>24 Q. The discipline, the five-day suspension</p>	<p style="text-align: right;">Page 107</p> <p>1 and they both. Mike Duda may have suggested it or</p> <p>2 told Lenny what he thought was happening and</p> <p>3 Lenny agreed with it.</p> <p>4 Q. You stated earlier that Mike Duda was</p> <p>5 your supervisor at the 79th and Lakefront station,</p> <p>6 is that correct?</p> <p>7 A. Yes. When we would be assigned over</p> <p>8 there and when they closed up some of the stations</p> <p>9 and put us all at 79th before they transferred us</p> <p>10 back to 49th Street.</p> <p>11 Q. And this was in 2011?</p> <p>12 A. I think so, yes.</p> <p>13 Q. For how long was Mike Duda your</p> <p>14 supervisor at 79th and Lakefront?</p> <p>15 A. The entire time that I was at 79th</p> <p>16 Street. I don't know how long that was because it</p> <p>17 was rate takers assigned over there before I went</p> <p>18 over there to that station.</p> <p>19 MR. JOHNSON: Can we take a short break,</p> <p>20 please?</p> <p>21 (WHEREUPON, a recess was had from</p> <p>22 2:15 to 2:25 p.m.)</p> <p>23 BY MR. JOHNSON:</p> <p>24 Q. Ms. Cage, what station were you located</p>
<p style="text-align: right;">Page 106</p> <p>1 March 19th to March 26th, 2012.</p> <p>2 MR. GOMBERG: Hang on. Can you read the</p> <p>3 question back, please?</p> <p>4 (WHEREUPON, the record was read</p> <p>5 by the reporter as requested.)</p> <p>6 MR. GOMBERG: You are mischaracterizing her</p> <p>7 testimony. She didn't say Lenny initiated. She</p> <p>8 said Duda initiated and Lenny signed off on it.</p> <p>9 That's what she said.</p> <p>10 MR. JOHNSON: I believe when I asked do you</p> <p>11 know who initiated this discipline, her compound</p> <p>12 answer was Mike Duda wrote it up and Lenny signed</p> <p>13 off on it.</p> <p>14 MR. GOMBERG: Yeah, but that's not what your</p> <p>15 last question was. You used the word "initiated."</p> <p>16 So that's a little confusing if you want to</p> <p>17 straighten it out.</p> <p>18 MR. JOHNSON: Sure.</p> <p>19 BY MR. JOHNSON:</p> <p>20 Q. Do you believe that Len Caifano</p> <p>21 initiated your discipline, discipline meaning the</p> <p>22 five-day suspension from March 19th to March 26th,</p> <p>23 2012?</p> <p>24 A. I believe he conferred with Mike Duda</p>	<p style="text-align: right;">Page 108</p> <p>1 at in 2011?</p> <p>2 A. I think it may have been 49th and</p> <p>3 Western, but I'm not positive.</p> <p>4 Q. And in 2011, were you at 49th and</p> <p>5 Western the entire year?</p> <p>6 A. Yes.</p> <p>7 Q. What station were you located at in</p> <p>8 2012?</p> <p>9 A. I think 49th and Western, also.</p> <p>10 Q. In 2012, were you at 49th and Western</p> <p>11 the entire year?</p> <p>12 A. I was there until they transferred us to</p> <p>13 39th and Iron.</p> <p>14 Q. Which happened when?</p> <p>15 A. I have no idea.</p> <p>16 Q. Isn't it true that Mike Duda was not</p> <p>17 your supervisor after 2009?</p> <p>18 A. I'm not sure when Mike left there.</p> <p>19 Q. Isn't it true that Mike Duda was only</p> <p>20 your supervisor when you were at 79th and Lakefront</p> <p>21 station?</p> <p>22 A. No. When they closed that station down,</p> <p>23 Mike came over to 49th and Western.</p> <p>24 Q. Did you have a disagreement with</p>

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<p style="text-align: right;">Page 109</p> <p>1 Mike Duda when you were at 79th and Lakefront 2 station? 3 A. Yes, I did. 4 Q. When was that? 5 A. It was on one of the charges in here, 6 6/7/12. It had to be around June of 2012. 7 Q. So around June of 2012 is when you had 8 a disagreement with Mike Duda at the 79th and 9 Lakefront station? 10 A. Yes. 11 Q. Didn't you testify that for all of 2012 12 you were at the 49th and Western station? 13 A. This statement with Mike I think 14 occurred at 49th and Western. When I wrote this 15 grievance, I was probably at 49th and Western. 16 Q. What grievance are you referring to? 17 A. 456. 18 Q. Did you have a disagreement with 19 Mike Duda in 2009? 20 A. I'm not sure. 21 Q. When you mentioned the June, 2012 22 disagreement with Mike Duda, you were looking at a 23 document. You said that was Bates No. 456, is that 24 correct?</p>	<p style="text-align: right;">Page 111</p> <p>1 (WHEREUPON, a certain document was 2 marked Cage Deposition Exhibit 3 No. 7, for identification, as of 4 04-29-2015.) 5 BY MR. JOHNSON: 6 Q. Do you recognize Exhibit 7? 7 A. Yes. 8 Q. Is this the pre-disciplinary hearing 9 form you were referring to when you say that 10 Mike Duda wrote it up? 11 A. Yes. 12 Q. And do you see Mike Duda's name on this 13 form? 14 A. No. I see Tyrone Lewis. 15 Q. So does this change your recollection 16 as to whether Mike Duda wrote it up on this form 17 regarding your five-day suspension March 19th to 18 March 26th, 2012? 19 A. Yes, it was Tyrone Lewis. 20 Q. Did you ever receive a notice of 21 progressive discipline regarding the five-day 22 suspension March 19th to March 26th, 2012? 23 A. Yes. 24 Q. What was stated as the reason for the</p>
<p style="text-align: right;">Page 110</p> <p>1 A. Yes. This is the one that I filed with 2 the union. 3 Q. You testified that when you were 4 suspended for five days, March 19th to March 26th, 5 2012, Mike Duda wrote up the paper that you had, 6 is that correct? 7 A. Yes. 8 Q. What paper are you referring to that 9 Mike Duda wrote up? 10 A. I don't know the name of it, but there's 11 a form that they write up when you have to go to a 12 pre-disciplinary hearing. 13 Q. Is it a notice of suspension and 14 discipline? 15 A. No. 16 Q. Notice of progressive discipline? 17 A. No. It's a pre-disciplinary hearing 18 form. 19 Q. Do you have a copy of that form? 20 A. No. 21 MR. JOHNSON: Would you please mark this as 22 Exhibit 7? 23 24</p>	<p style="text-align: right;">Page 112</p> <p>1 five-day suspension? 2 A. I had so many it would be impossible for 3 me to recognize which one it was for. 4 Q. Is there something that would refresh 5 your recollection as to the stated reason on the 6 notice of progressive discipline for your 7 five-day suspension? 8 A. Yes. 9 Q. What would refresh your recollection? 10 A. The form has on there the day you have 11 been suspended and at the top of it it has why you 12 being suspended this time and then it has 13 progressive discipline. 14 MR. JOHNSON: Can you please mark Exhibit 8? 15 Thank you. 16 (WHEREUPON, a certain document was 17 marked Cage Deposition Exhibit 18 No. 8, for identification, as of 19 04-29-2015.) 20 BY MR. JOHNSON: 21 Q. Do you recognize Exhibit 8? 22 A. Yes. 23 Q. Is this the notice of progressive 24 discipline you received regarding your five-day</p>

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<p style="text-align: right;">Page 113</p> <p>1 suspension from March 19th to March 26th, 2012?</p> <p>2 A. Yes.</p> <p>3 Q. On the first page under the box that</p> <p>4 says "Category," do you see that there is a box,</p> <p>5 it's the third row down, and the words next to the</p> <p>6 box are "Conduct involving job performance or</p> <p>7 substandard work performance," is that correct?</p> <p>8 A. It has poor performance on here.</p> <p>9 Q. So on the first page, there's a</p> <p>10 horizontal box that says, "Category." Do you</p> <p>11 see that in the middle of the page?</p> <p>12 A. Yes.</p> <p>13 Q. And then the third row down on the</p> <p>14 left says, "Conduct involving job performance or</p> <p>15 substandard work performance," is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. And the box next to that phrase is</p> <p>18 checked with an X?</p> <p>19 A. Yes.</p> <p>20 Q. On the next page, this is Bates No. 105,</p> <p>21 under the box that says "Incident Description and</p> <p>22 Supporting Details," the text entered in that box</p> <p>23 says, "Employee was listed as following:</p> <p>24 Ms. Cage was given a pre-disciplinary hearing on</p>	<p style="text-align: right;">Page 115</p> <p>1 Q. If you look under where it says</p> <p>2 "Contact Jurdine Rutledge," do you see it says,</p> <p>3 "The subject of the hearing is job performance and</p> <p>4 misrepresentation," is that correct?</p> <p>5 A. That's what they put down, but that's</p> <p>6 not correct.</p> <p>7 Q. Who else besides you was in attendance</p> <p>8 at the pre-disciplinary hearing on January 30th,</p> <p>9 2012?</p> <p>10 A. The union representative, myself, and</p> <p>11 Tyrone Lewis.</p> <p>12 Q. What's the name of your union</p> <p>13 representative who was in attendance?</p> <p>14 A. I think at that time it was</p> <p>15 Michael Tierney.</p> <p>16 Q. Was anyone else in attendance at the</p> <p>17 pre-disciplinary hearing?</p> <p>18 A. Lenny came in.</p> <p>19 Q. What do you mean Lenny came in?</p> <p>20 A. Well, we were in a -- the little room</p> <p>21 that they have up there and Lenny wasn't there when</p> <p>22 we all got there. So we had to wait for him to</p> <p>23 come to the room.</p> <p>24 Q. Did Lenny miss the beginning of the</p>
<p style="text-align: right;">Page 114</p> <p>1 January 30th, 2012, for issues related to poor</p> <p>2 performance and document falsification for</p> <p>3 January 24th, 2012," is that correct?</p> <p>4 A. Yes.</p> <p>5 Q. On the bottom of that page Bates 105, do</p> <p>6 you recognize the signature under signature of</p> <p>7 supervisor issuing notice?</p> <p>8 A. Yes.</p> <p>9 Q. Whose signature is that?</p> <p>10 A. Tyrone Lewis.</p> <p>11 Q. And he signed on March 13th, 2012?</p> <p>12 A. Yes.</p> <p>13 Q. Is that your handwriting above that that</p> <p>14 says, "Refused to sign"?</p> <p>15 A. No, that's his.</p> <p>16 Q. Did you attend a pre-disciplinary</p> <p>17 hearing on January 30th, 2012, before you were</p> <p>18 given the notice of suspension?</p> <p>19 A. Yes, I did.</p> <p>20 Q. And is Exhibit 7 the memorandum</p> <p>21 scheduling -- informing you of the schedule for</p> <p>22 when the pre-disciplinary hearing would take</p> <p>23 place?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 116</p> <p>1 hearing?</p> <p>2 A. No, it hadn't started.</p> <p>3 Q. Was there anyone else present at the</p> <p>4 hearing?</p> <p>5 A. No, just the people I named.</p> <p>6 Q. On Exhibit 7, if you look back, where</p> <p>7 it says, "The subject of the hearing is job</p> <p>8 performance and misrepresentation," why do you</p> <p>9 believe that's incorrect?</p> <p>10 A. Because I didn't misrepresent anything.</p> <p>11 This is a day that I had the north side and of the</p> <p>12 buildings I had to get into you needed a janitor or</p> <p>13 maintenance guy. You're only allowed five minutes</p> <p>14 to wait. No one came. So that was one of the</p> <p>15 routes that I tell you they put in your G5. I</p> <p>16 couldn't get into any of the buildings on the north</p> <p>17 side because I didn't know where the janitor or the</p> <p>18 maintenance guy was.</p> <p>19 After I finished that route, I proceeded</p> <p>20 to the second route that was loaded into my G5.</p> <p>21 And in the second book, I did obtain some readings.</p> <p>22 But they claimed the tracker showed me on the south</p> <p>23 side at 1 o'clock. At 1 o'clock, I was on Addison</p> <p>24 and I don't know what street, but the Jewel's still</p>

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<p style="text-align: right;">Page 117</p> <p>1 sitting there. I was in that Jewel store talking 2 to the manager about getting in to read the meter 3 there. 4 Q. I'm sorry. If you could please focus on 5 the question that I asked. 6 So why is it incorrect that the 7 subject of the hearing is job performance and 8 misrepresentation? 9 MR. GOMBERG: Objection; asked and answered. 10 She just answered your question. 11 BY MR. JOHNSON: 12 Q. You testified that you did not 13 misrepresent anything, is that correct? 14 A. That's correct. 15 Q. What did they say? What did somebody 16 say at the hearing that was a misrepresentation? 17 MR. GOMBERG: Objection. 18 MR. JOHNSON: Sorry. Strike that. 19 BY MR. JOHNSON: 20 Q. What, if anything, did Mr. Lewis say at 21 the hearing? 22 A. Nothing. 23 Q. What, if anything, did Mr. Caifano say 24 at the hearing?</p>	<p style="text-align: right;">Page 119</p> <p>1 2012? 2 A. Yes, he did. 3 Q. What other documents did Mr. Lewis -- 4 A. The second route that I went into. 5 Q. What do you mean second route you went 6 into? 7 A. The route that had the Jewel store on 8 it. That was the second book. 9 Q. Was that second book also on 10 January 24th, 2012? 11 A. Yes, it was. 12 Q. Were there any other documents 13 Mr. Lewis submitted at that hearing? 14 A. No. 15 Q. Did either Mr. Lewis or Mr. Caifano say 16 at the hearing that your age was the reason for 17 this five-day suspension in March, 2012? 18 A. No. 19 Q. Did either Mr. Lewis or Mr. Caifano say 20 anything about your age? 21 A. No. 22 Q. To your knowledge, did Mr. Lewis or 23 Mr. Caifano ever say that your age was the 24 reason for this five-day suspension?</p>
<p style="text-align: right;">Page 118</p> <p>1 A. That I did not get into the buildings to 2 obtain readings from the water meters. 3 Q. Did Mr. Caifano say anything else at the 4 hearing? 5 A. No. 6 Q. What, if anything, did Michael Tierney 7 say at the hearing? 8 A. Nothing. 9 Q. Did Mr. Lewis submit documents at the 10 hearing? 11 A. Yes, he did. 12 Q. What documents did Mr. Lewis submit at 13 the hearing? 14 A. They had printed out the route for 15 that day and he brought that to the hearing. 16 Q. When you say "route for that day," what 17 day are you referring to? 18 A. January 24th, 2012. 19 Q. At the pre-disciplinary hearing, did 20 Mr. Caifano also mention your work results from a 21 different day in January? 22 A. No. 23 Q. Did Mr. Lewis submit any other documents 24 besides your route for that day on January 24th,</p>	<p style="text-align: right;">Page 120</p> <p>1 A. No. 2 Q. To your knowledge, did any City employee 3 besides Mr. Lewis or Mr. Caifano ever say that age 4 was the reason for this five-day suspension? 5 A. No. 6 Q. Did either Mr. Lewis or Mr. Caifano say 7 at the hearing that your gender was the reason for 8 this five-day suspension? 9 A. No. They wouldn't say that at the 10 hearing. 11 Q. Did either Mr. Lewis or Mr. Caifano say 12 anything about your gender at the hearing? 13 A. No. 14 Q. To your knowledge, did Mr. Lewis or 15 Mr. Caifano ever say that your gender was the 16 reason for this five-day suspension? 17 A. No. 18 Q. To your knowledge, did any City employee 19 besides Mr. Lewis or Mr. Caifano ever say that your 20 gender was the reason for this five-day suspension? 21 A. No. 22 Q. Did either Mr. Lewis or Mr. Caifano say 23 at the hearing that your race was the reason for 24 this five-day suspension?</p>

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<p style="text-align: right;">Page 121</p> <p>1 A. No.</p> <p>2 Q. Did either Mr. Lewis or Mr. Caifano say</p> <p>3 anything about your race at the hearing?</p> <p>4 A. No.</p> <p>5 Q. To your knowledge, did Mr. Lewis or</p> <p>6 Mr. Caifano ever say that your race was the reason</p> <p>7 for this five-day suspension?</p> <p>8 A. No.</p> <p>9 Q. To your knowledge, did any City employee</p> <p>10 besides Mr. Lewis or Mr. Caifano ever say that your</p> <p>11 race was the reason for the suspension?</p> <p>12 A. No.</p> <p>13 Q. Did either Mr. Lewis or Mr. Caifano</p> <p>14 say at the hearing that your previous filing of</p> <p>15 complaints and/or charges was the reason for this</p> <p>16 five-day suspension?</p> <p>17 A. No.</p> <p>18 Q. Did either Mr. Lewis or Mr. Caifano say</p> <p>19 anything about your previous filing of complaints</p> <p>20 and/or charges at the hearing?</p> <p>21 A. No.</p> <p>22 Q. To your knowledge, did Mr. Lewis or</p> <p>23 Mr. Caifano ever say that your previous filing of</p> <p>24 complaints and/or charges was the reason for this</p>	<p style="text-align: right;">Page 123</p> <p>1 time.</p> <p>2 Q. But do you believe that he initiated the</p> <p>3 discipline?</p> <p>4 A. I believe he was told to.</p> <p>5 Q. What's the basis for your belief that he</p> <p>6 was told to initiate the discipline?</p> <p>7 A. Tyrone, for lack of a better word, is a</p> <p>8 figurehead. So whatever he's told to do, that's</p> <p>9 what he does. Even if he knows it's wrong, he'll</p> <p>10 still do it.</p> <p>11 Q. Did you ever hear anyone tell Mr. Lewis</p> <p>12 to initiate this discipline?</p> <p>13 A. No.</p> <p>14 Q. Did Mr. Lewis ever tell you that he was</p> <p>15 told to initiate the discipline?</p> <p>16 A. No. In 2011, I think Mr. Lewis had told</p> <p>17 me that Lenny and -- Len Caifano and Mike Duda --</p> <p>18 Lenny had called him and told him to watch my work</p> <p>19 very carefully and he told me to be careful.</p> <p>20 Q. Who told you to be careful?</p> <p>21 A. Tyrone Lewis.</p> <p>22 Q. Did you ever see a document indicating</p> <p>23 that Lewis was told -- Mr. Lewis was told to</p> <p>24 initiate your seven-day suspension October 29th to</p>
<p style="text-align: right;">Page 122</p> <p>1 five-day suspension?</p> <p>2 A. No.</p> <p>3 Q. To your knowledge, did any City employee</p> <p>4 besides Mr. Lewis or Mr. Caifano ever say that your</p> <p>5 previous filing of complaints and/or charges was</p> <p>6 the reason for this five-day suspension?</p> <p>7 A. No.</p> <p>8 Q. Do you know who made the final decision</p> <p>9 with respect to this five-day suspension?</p> <p>10 A. No.</p> <p>11 Q. Did you serve a seven-day suspension</p> <p>12 from October 29th to November 5th, 2012?</p> <p>13 A. Yes.</p> <p>14 Q. Do you know who initiated that</p> <p>15 suspension?</p> <p>16 A. It was the supervisor at that time. I</p> <p>17 don't know if it was Tyrone. What was the dates?</p> <p>18 Q. For the seven-day suspension?</p> <p>19 A. Yeah.</p> <p>20 Q. October 29th to November 5th, 2012.</p> <p>21 A. Tyrone Lewis.</p> <p>22 Q. You believe that Tyrone Lewis initiated</p> <p>23 that discipline?</p> <p>24 A. Well, he was the supervisor at that</p>	<p style="text-align: right;">Page 124</p> <p>1 November 5th, 2012?</p> <p>2 A. No.</p> <p>3 Q. Is there anything else that is the basis</p> <p>4 for your belief that Mr. Lewis was told to initiate</p> <p>5 this suspension?</p> <p>6 A. I believe he was told to scrutinize my</p> <p>7 work very carefully and any little discrepancies he</p> <p>8 reported it to Len Caifano.</p> <p>9 Q. But is there any other reason why you</p> <p>10 believe that Mr. Lewis was told specifically to</p> <p>11 initiate your seven-day suspension from</p> <p>12 October 29th to November 5th, 2012?</p> <p>13 A. No.</p> <p>14 Q. Did you receive a notice of progressive</p> <p>15 discipline regarding this seven-day suspension?</p> <p>16 A. Yes.</p> <p>17 Q. What was the stated reason on that</p> <p>18 notice of progressive discipline as to why you</p> <p>19 were being suspended?</p> <p>20 A. Same reason, poor job performance.</p> <p>21 Q. Was there anything else that you recall</p> <p>22 as a stated reason?</p> <p>23 A. No.</p> <p>24 Q. Is there anything that could refresh</p>

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<p style="text-align: right;">Page 125</p> <p>1 your recollection?</p> <p>2 A. No. I would need to see some documents.</p> <p>3 MR. JOHNSON: Could you please mark this as</p> <p>4 Exhibit 9? Thank you.</p> <p>5 (WHEREUPON, a certain document was</p> <p>6 marked Cage Deposition Exhibit</p> <p>7 No. 9, for identification, as of</p> <p>8 04-29-2015.)</p> <p>9 BY MR. JOHNSON:</p> <p>10 Q. Do you recognize Exhibit 9?</p> <p>11 A. Yes.</p> <p>12 Q. Is this a true and accurate copy of</p> <p>13 the notice of progressive discipline you were given</p> <p>14 regarding your suspension for seven days from</p> <p>15 October 29th to November 5th, 2012?</p> <p>16 A. Yes.</p> <p>17 Q. On the second page, so Bates No. 109, do</p> <p>18 you recognize your signature in the box on the</p> <p>19 bottom where it says, "Signature of supervisor</p> <p>20 issuing notice"?</p> <p>21 A. Yes.</p> <p>22 Q. Whose signature is that?</p> <p>23 A. Tyrone Lewis.</p> <p>24 Q. And did he sign on October 26th, 2012?</p>	<p style="text-align: right;">Page 127</p> <p>1 A. No.</p> <p>2 Q. Have you ever reviewed the personnel</p> <p>3 rules of the City of Chicago?</p> <p>4 A. No. I'm not even sure what this</p> <p>5 statement is even referring to, but it's the same</p> <p>6 thing. Poor performance, inefficiency on what,</p> <p>7 climbing the building, opening the door, what?</p> <p>8 Q. Did you attend a pre-disciplinary</p> <p>9 hearing on October 18th, 2012, before you were</p> <p>10 given this notice of progressive discipline?</p> <p>11 A. Yes.</p> <p>12 Q. Were you given a memorandum providing</p> <p>13 you notice of when the pre-disciplinary hearing</p> <p>14 would be held?</p> <p>15 A. Yes.</p> <p>16 MR. JOHNSON: Would you mark Exhibit 10,</p> <p>17 please?</p> <p>18 (WHEREUPON, a certain document was</p> <p>19 marked Cage Deposition Exhibit</p> <p>20 No. 10, for identification, as of</p> <p>21 04-29-2015.)</p> <p>22 BY MR. JOHNSON:</p> <p>23 Q. Do you recognize Exhibit 10?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 126</p> <p>1 A. Yes.</p> <p>2 Q. Is that your handwriting that says,</p> <p>3 "Refused to sign. Given copy"?</p> <p>4 A. No.</p> <p>5 Q. On the first page under the box that</p> <p>6 says "Category," do you see the language, "Conduct</p> <p>7 involving job performance or substandard work</p> <p>8 performance"?</p> <p>9 A. Yes.</p> <p>10 Q. Is there an X next to the box?</p> <p>11 A. Yes.</p> <p>12 Q. On the second page on Bates 109, under</p> <p>13 incident description and supporting details at the</p> <p>14 top, entered into that box do you see the words,</p> <p>15 "Employee was listed as following: Ophelia Cage</p> <p>16 for poor performance, inefficiency (Personnel</p> <p>17 Rule XVIII, Section 1, Articles 38 and 39)," is</p> <p>18 that correct?</p> <p>19 A. Yes.</p> <p>20 Q. You testified that you received a copy</p> <p>21 of the personnel rules of the City of Chicago as</p> <p>22 recently as five years ago, is that correct?</p> <p>23 A. Yes.</p> <p>24 Q. Did you review the personnel rules?</p>	<p style="text-align: right;">Page 128</p> <p>1 Q. Is this the memorandum you received</p> <p>2 giving you notice of a pre-disciplinary hearing</p> <p>3 scheduled for October 18th, 2012?</p> <p>4 A. Yes.</p> <p>5 Q. And was this pre-disciplinary hearing</p> <p>6 regarding your suspension from October 29th to</p> <p>7 November 5th, 2012, your seven-day suspension?</p> <p>8 A. Yes.</p> <p>9 Q. Under contact Jurdine Rutledge, it says,</p> <p>10 "The subject of this hearing is poor performance,"</p> <p>11 is that correct?</p> <p>12 A. Yes.</p> <p>13 Q. Who else besides you was in attendance</p> <p>14 at this pre-disciplinary hearing?</p> <p>15 A. Len Caifano, myself, Tyrone Lewis, and</p> <p>16 the union representative.</p> <p>17 Q. Who was your union representative</p> <p>18 present?</p> <p>19 A. I think Michael Tierney.</p> <p>20 Q. Was there anyone else present at the</p> <p>21 hearing?</p> <p>22 A. No.</p> <p>23 Q. Did Mr. Lewis submit any documents at</p> <p>24 the hearing?</p>

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<p style="text-align: right;">Page 129</p> <p>1 A. No, he did not. Mr. Caifano brought all 2 the documents in. 3 Q. What documents did Mr. Caifano bring in? 4 A. My route for this particular day. 5 Q. What particular day? 6 A. The date that they suspended me. What 7 date did they have on -- the date of the incident, 8 which was 10/4/12 through 10/12/12. 9 Q. Is that an incident continuously from 10 10/4/12 through 10/12/12 or incidents on 10/4/12 11 and 10/12/12? 12 A. 10/4/12 and 10/12/12. 13 Q. And is that your understanding of the 14 incidents underlying your suspension? 15 A. I understand the dates, but it still 16 doesn't give me a description of why like the 17 other one did. 18 Q. And Mr. Caifano at the pre-disciplinary 19 hearing submitted documents of your route on both 20 of those days, October 4th, 2012, and October 12th, 21 2012? 22 A. Yes. 23 Q. Did Mr. Caifano submit any other 24 documents at the hearing?</p>	<p style="text-align: right;">Page 131</p> <p>1 A. He puts enough suspensions in your 2 folder and then eventually you are fired. 3 Q. Is it your understanding that -- strike 4 that. 5 Were you fired after being suspended 6 for seven days in 2012? 7 A. No. 8 Q. Do you know of a specific instance where 9 Mr. Caifano put enough suspensions in your folder 10 and eventually you were fired? 11 A. It says on here progressive discipline, 12 increased amount of discipline and/or resulting in 13 termination. 14 Q. Why do you believe Len Caifano gave you 15 the suspension, the seven-day suspension in 16 October, 2012? 17 A. He's finding any little idiocy to 18 suspend me. If I had to go to the washroom and 19 stay longer than anyone else, he finds a reason to 20 write me up for that. And you've got employees 21 going home. 22 Q. What's the basis of your belief that he 23 gives you more discipline than anyone else? 24 A. My belief is no one has been suspended.</p>
<p style="text-align: right;">Page 130</p> <p>1 A. No. 2 Q. Did Mr. Tierney submit any documents at 3 the hearing? 4 A. No. 5 Q. Did you submit any documents at the 6 hearing? 7 A. No. 8 Q. What, if anything, did Mr. Lewis say at 9 the hearing? 10 A. He didn't say anything. Mr. Caifano did 11 all the talking. 12 Q. What, if anything, did Mr. Caifano say 13 at the hearing? 14 A. Statements to justify him giving me a 15 suspension. 16 Q. Do you remember any of his statements? 17 A. I can't remember the statements, but 18 this is what I call padding your personnel file 19 folder because there is no explanation on here. He 20 just got a personnel rule. Normally when they give 21 you a pre-dis, they put it on here like this one. 22 It notes on here why. 23 Q. What do you mean padding your personnel 24 folder?</p>	<p style="text-align: right;">Page 132</p> <p>1 They've been suspended, but for tardiness and 2 absenteeism. No one has ever been suspended for 3 poor job performance. 4 Q. What's the basis for your belief that 5 no one has ever been suspended for poor job 6 performance? 7 A. I've asked every employee there. Every 8 one of them said, no, I haven't been suspended. 9 And the ones that were suspended, they told me it 10 was for tardiness, coming in late. 11 Q. When you say every employee there, where 12 is there? 13 A. 39th and Iron. 14 Q. And when you say every employee -- 15 A. Every rate taker. 16 Q. -- who specifically are you referring 17 to? 18 A. All the rate takers that are still on 19 the City payroll. 20 Q. What specific individual rate takers did 21 you ask whether they were suspended for poor job 22 performance? 23 A. Ron Blankus, Demetrius Simms, 24 Rose O'Neil, Sharon Brown, Pat Durrant,</p>

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<p style="text-align: right;">Page 133</p> <p>1 Bridget Jones. What's his name, Lenny's 2 right-hand man. I can't think of his name. Carl 3 Burt. It's two of them. I can't think of their 4 name, but they're still on the City payroll and 5 they're rate takers. 6 Q. Anyone else? 7 A. It's about three, four more, but I can't 8 think of their names. 9 Q. When did you ask Ron Blankus if he was 10 ever suspended for poor job performance? 11 A. Before he went on duty disability and 12 he's been on duty disability now for about two, 13 maybe three years. 14 Q. So approximately when did you ask 15 Mr. Blankus whether he had been suspended for poor 16 job performance? 17 A. Well, he didn't come down to 39th and 18 Iron. So when we were stationed on 49th and 19 Western. 20 Oh, put Curtis Johnson down. 21 Q. Do you recall a specific conversation 22 with Ron Blankus regarding whether he had been 23 suspended for poor job performance? 24 A. I asked him.</p>	<p style="text-align: right;">Page 135</p> <p>1 time. I asked him had you ever been suspended for 2 poor job performance. 3 Q. Do you remember the date of that 4 conversation? 5 A. Well, I was reinstated in November. So 6 it had to be December, 2005. 7 Q. And when you asked him have you ever 8 been suspended for poor job performance, what did 9 Demetrius Simms tell you in December of 2005? 10 A. No, I have not. 11 Q. When did you ask Rose O'Neil whether 12 she had been suspended for poor job performance? 13 A. Same time, November of 2005. 14 Q. Do you remember the specific 15 conversation? 16 A. I just asked. 17 Q. And what did Rose O'Neil say in response 18 in November of 2005? 19 A. No, I have not. All the rate takers, I 20 asked them the same thing -- I didn't put it in any 21 nice way -- have you ever been suspended for poor 22 job performance. 23 Q. With Demetrius Simms, besides the 2005 24 December conversation, had you ever -- did you ever</p>
<p style="text-align: right;">Page 134</p> <p>1 Q. Do you remember what date you asked him? 2 A. No. Like I said, he's been on duty 3 disability for about two or three years now. So 4 this is when we were still at 49th and Western 5 because he never came with us to 39th and Iron. He 6 was on DD. 7 Oh, Jeff Sojka, however you pronounce 8 his last name, Jeff Sojka, whatever. Jerry 9 Robinson, Oscar Diaz. That's it. 10 Q. Are there any other water rate takers 11 who you asked whether they had been suspended for 12 poor job performance? 13 A. Leslie Travis Cook. 14 Q. Anyone else? 15 A. That's it. That's it. 16 Q. When did you ask Demetrius Simms whether 17 he had been suspended for poor job performance? 18 A. He was with me at 23rd and Ashland. So 19 I asked him right after I came back -- right after 20 I was reinstated in 2005. 21 Q. Do you recall a specific conversation 22 that you had with him in 2005? 23 A. I just asked him. I just went up to him 24 and asked him. We'd been working together a long</p>	<p style="text-align: right;">Page 136</p> <p>1 have a subsequent conversation with him asking 2 whether he had ever been suspended for poor job 3 performance? 4 A. Before 2005, no. 5 Q. After 2005. 6 A. No. 7 Q. After your November, 2005 conversation 8 with Rose O'Neil, did you ever ask her whether she 9 had been suspended for poor job performance? 10 A. No. 11 Q. When did you ask Sharon Brown whether 12 she had been suspended for poor job performance? 13 A. The time that they had given her a 14 pre-disciplinary hearing, it was her, myself, and 15 Renny Simmons. Out of that pre-dis, I'm the only 16 one that walked away with a suspension. 17 Q. So when did you ask Sharon Brown whether 18 she had been suspended for poor job performance? 19 A. Right before I started my suspension. I 20 can't think of what year it was. But they had 21 brought her down for the same thing they had 22 brought myself and Renny Simmons down. 23 Q. But you don't remember what year? 24 A. No. I just know I'm the only one walked</p>

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<p style="text-align: right;">Page 137</p> <p>1 away with a suspension. All three of us was in a 2 pre-dis. 3 Q. So you don't remember a specific 4 conversation with Sharon Brown regarding whether 5 she was suspended for poor job performance? 6 A. Yes. After I got my suspension, I asked 7 her did you get suspended. She said no. And I 8 took her word against it. I knew how many stops 9 she had did that day because she couldn't come back 10 to the station so she asked me to bring her work 11 in. So I brought her work into the station. 12 Q. But you don't recall when this specific 13 conversation happened? 14 A. No. And right after that, they brought 15 her into the office. She's no longer in the field. 16 Q. Do you know approximately when this 17 conversation happened with Sharon Brown? 18 A. I would have to know when the suspension 19 was and I done had so many. I'd have to be an 20 Einstein to remember all the days they have 21 suspended me. 22 Q. Was it before 2006? 23 A. No, after. I think after. 24 Q. Was it in 2006?</p>	<p style="text-align: right;">Page 139</p> <p>1 Q. And what was Ms. Durrant's response? 2 A. She laughed and said no. 3 Q. After January, 2011, did you ever have a 4 conversation with Pat Durrant regarding whether she 5 had been suspended for poor job performance? 6 A. No. 7 Q. When did you have a conversation -- when 8 did you ask Bridget Jones whether she had been 9 suspended for poor job performance? 10 A. January, 2011, the same day. 11 Q. The same day that you asked -- 12 A. Pat Durrant. 13 Q. Do you remember the specific 14 conversation? 15 A. She was right there when I asked Pat. 16 So when Pat said no, I asked Bridget have you ever 17 been suspended for poor job performance. She said 18 no. 19 Q. After January, 2011, did you ever have a 20 subsequent conversation with Bridget Jones about 21 whether she had been suspended for poor job 22 performance? 23 A. No. 24 Q. When did you have a conversation with</p>
<p style="text-align: right;">Page 138</p> <p>1 A. No, I don't think so. 2 Q. Was it in 2007? 3 A. Because Renny's deceased now, I'd say 4 maybe '10, 2010, and that's a guess because Renny 5 is dead and he's been dead now about two, 6 three years. 7 Q. Did you ever have a subsequent 8 conversation -- after the one that was maybe in 9 2010 with Sharon Brown, did you ever have a 10 subsequent conversation about whether she had been 11 suspended for poor job performance? 12 A. No. 13 Q. You mentioned a pre-disciplinary 14 hearing -- strike that. 15 When did you ask Pat Durrant whether she 16 had been suspended for poor job performance? 17 A. 2011, January, 2011. 18 Q. Do you remember the specific date? 19 A. No. I just remember the month and the 20 year. 21 Q. Do you remember the specific 22 conversation with her? 23 A. Pat, have you ever been suspended for 24 poor job performance.</p>	<p style="text-align: right;">Page 140</p> <p>1 Carl Burt asking him whether he had been suspended 2 for poor job performance? 3 A. The next day. 4 Q. The next day after what? 5 A. After I talked with Bridget and Pat. 6 Q. In January, 2011? 7 A. Yes. 8 Q. Do you remember the specific 9 conversation? 10 A. I asked them have you ever been 11 suspended for poor job performance. I asked them 12 all the same thing. Everybody's response was no, 13 but I knew that before I asked them. 14 Q. How did you know that before you 15 asked Carl Burt -- how did you know before you 16 asked him whether he had been suspended for poor 17 job performance -- how did you already know that 18 he had never been suspended for poor job 19 performance? 20 A. Because these are rate takers that I've 21 been working with since 1991. And whenever someone 22 gets suspended like me -- I'm down here today. If 23 you were to go to 39th, everybody down there know 24 where I am.</p>

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<p style="text-align: right;">Page 141</p> <p>1 Q. Prior to January, 2011, had Carl Burt 2 ever told you whether he was suspended or not for 3 poor job performance? 4 A. No. 5 Q. So how did you already know before 6 that conversation that he had never been suspended 7 for poor job performance? 8 A. Because I see him every day. You can't 9 be suspended and I'm seeing you five days a week 10 every week. And the days that someone is off like 11 now, I'll ask where's so-and-so. They'll say, oh, 12 they're on vacation. They don't say, oh, they're 13 suspended. 14 Q. Did you work with Carl Burt every day 15 from 1991 to January, 2011? 16 A. Me and Carl Burt became rate takers the 17 same day. We came into the station the same day, 18 June of 1991. 19 Q. From June, 1991, to January, 2011, did 20 you always work at the same station as Carl Burt? 21 A. Yes. 22 Q. Were there ever days when you did not 23 report to work? 24 A. When I was on vacation or took a sick</p>	<p style="text-align: right;">Page 143</p> <p>1 A. No. It probably was in the afternoon 2 after we had finished up our work, probably sitting 3 outside in the parking lot. 4 Q. After that conversation, did you ever 5 ask Carl Burt whether he had been suspended for 6 poor job performance? 7 A. Yes. 8 Q. When? 9 A. That day I asked him. I haven't asked 10 him since then. 11 Q. Okay. When did you ask Curtis Johnson 12 whether he had been suspended -- I'm sorry. Strike 13 that. 14 So when you got back from your seven-day 15 suspension and asked Carl Burt if he had ever been 16 suspended for poor job performance, what did he 17 say? 18 A. No. 19 Q. When did you ask Curtis Johnson whether 20 he had ever been suspended for poor job 21 performance? 22 A. The same time I asked Carl Burt. 23 Q. January, 2011? 24 A. Yes.</p>
<p style="text-align: right;">Page 142</p> <p>1 day and suspended. 2 Q. Do you know whether Carl Burt was 3 suspended on the days that you were not at work? 4 A. When I got back to work, I would 5 ask -- like if I had a seven-day, when I come back, 6 I would ask, you know, was anybody suspended 7 besides me and everybody's sitting there looking 8 at everybody. 9 Q. Do you remember asking Carl Burt when 10 you came back -- strike that. 11 After January, 2011, did you ever have 12 a conversation with Carl Burt asking him whether he 13 had been suspended for poor job performance? 14 A. Yes. 15 Q. When? 16 A. When I came back off of suspension, I 17 asked Carl Burt have you ever been suspended like 18 they are suspending me. He said no. 19 Q. When you came back after a suspension, 20 what suspension? 21 A. The suspension that I had for the 22 seven days. 23 Q. Do you remember approximately what day 24 you had that conversation with Carl Burt?</p>	<p style="text-align: right;">Page 144</p> <p>1 Q. The exact same day? 2 A. Yes. 3 Q. During the same conversation? 4 A. No, ten minutes later. 5 Q. And do you remember the exact 6 conversation? 7 A. Yes, have you ever been suspended for 8 poor job performance, no. 9 Q. After that conversation with Curtis 10 Johnson in 2011, did you ever ask him whether he 11 had been suspended for poor job performance? 12 A. No. 13 Q. When did you ask Jeff Sojka whether he 14 had been suspended for poor job performance? 15 A. January, 2011. 16 Q. Do you remember exactly when in January, 17 2011? 18 A. No, because Jeff was in and out. He 19 comes to our station when he's trying to keep from 20 being docked. He'll come over there and swipe in. 21 So he really doesn't stay very long. Every now and 22 then he would come over there and have a 23 conversation with the supervisor. 24 MR. GOMBERG: I'm going to need to take a</p>

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<p style="text-align: right;">Page 145</p> <p>1 break. Is it okay?</p> <p>2 MR. JOHNSON: Sure.</p> <p>3 (WHEREUPON, a recess was had from</p> <p>4 3:17 to 3:24 p.m.)</p> <p>5 BY MR. JOHNSON:</p> <p>6 Q. So you mentioned that in January, 2011,</p> <p>7 you asked Jeff Sojka whether he had ever been</p> <p>8 suspended for poor job performance, is that right?</p> <p>9 A. Yes.</p> <p>10 Q. Do you remember the specific</p> <p>11 conversation?</p> <p>12 A. I asked him, Jeff, this is a dumb</p> <p>13 question, but I'm gonna ask it anyway. Have you</p> <p>14 ever been suspended for poor job performance. And</p> <p>15 he said no.</p> <p>16 Q. Why did you say this is a dumb question?</p> <p>17 A. That's Lenny's right-hand man. When</p> <p>18 Lenny takes off, he locks the computer so that no</p> <p>19 one else can get into the computer to see what he</p> <p>20 has in there. Jeff is the only one that knows the</p> <p>21 code to get into the computer when Lenny is off.</p> <p>22 Q. How do you know that Lenny locks his</p> <p>23 computer when he leaves?</p> <p>24 A. One time he had taken off and Mike Duda</p>	<p style="text-align: right;">Page 147</p> <p>1 Jeff Sojka in 2012 knew the combination to unlock</p> <p>2 Lenny's computer?</p> <p>3 A. He's Lenny's right-hand man. So Lenny</p> <p>4 confides in Jeff. That's why Jeff can get away</p> <p>5 with doing practically anything he wants to do</p> <p>6 because Lenny's going to cover for him.</p> <p>7 Q. Aside from your belief that Jeff is</p> <p>8 Lenny's right-hand man, what else is the basis for</p> <p>9 your belief that Jeff in 2012 knew how to unlock</p> <p>10 Lenny's computer?</p> <p>11 A. Not only did I know it, a couple other</p> <p>12 rate takers also knew it because they made the</p> <p>13 statement would you believe Lenny had locked the</p> <p>14 computer and no one can get into it.</p> <p>15 Then we have a sheet. As a matter of</p> <p>16 fact, I filled out one, it's been a year ago, for</p> <p>17 acting as a backup supervisor when the regular</p> <p>18 supervisor is off. To this day they have not</p> <p>19 called me yet, but every time that Tyrone takes off</p> <p>20 Jeff comes upstairs and give out the work as their</p> <p>21 backup.</p> <p>22 We had a rate taker, he still works with</p> <p>23 us, Oscar Diaz. And Lenny was off. And he went</p> <p>24 upstairs. He couldn't get into the computer</p>
<p style="text-align: right;">Page 146</p> <p>1 went up there in Lenny's desk because he was going</p> <p>2 to be the supervisor for today and the computer was</p> <p>3 locked and he couldn't get into it. And he asked</p> <p>4 Jeff why is the computer locked. Jeff said I don't</p> <p>5 know. He asked Jeff do you have the combination.</p> <p>6 Jeff said no.</p> <p>7 But he did. He had the code. We all</p> <p>8 know he got the code. Mike just didn't know it.</p> <p>9 Q. You personally heard this conversation</p> <p>10 between Mike Duda and Jeff Sojka?</p> <p>11 A. Yes, because you have to come from</p> <p>12 downstairs upstairs to get your work. So I'm</p> <p>13 standing up there waiting on Mike to give me</p> <p>14 the work and he's trying to get into the locked</p> <p>15 computer.</p> <p>16 Q. When did this conversation take place?</p> <p>17 A. Had to be in 2012.</p> <p>18 Q. Do you remember specifically within 2012</p> <p>19 when it was?</p> <p>20 A. I would say June, 2012.</p> <p>21 Q. Do you remember the date in June?</p> <p>22 A. No.</p> <p>23 Q. How do you know -- strike that.</p> <p>24 What's the basis for your belief that</p>	<p style="text-align: right;">Page 148</p> <p>1 either. It was locked.</p> <p>2 Q. After the conversation in January, 2011,</p> <p>3 when you asked Jeff Sojka whether he had ever been</p> <p>4 suspended for poor job performance, did you ever</p> <p>5 after that have a conversation asking whether</p> <p>6 Jeff Sojka had been suspended for poor job</p> <p>7 performance?</p> <p>8 A. 2013.</p> <p>9 Q. When in 2013?</p> <p>10 A. May, 2013. I happen to go upstairs, I</p> <p>11 don't know if this was the day he was by himself or</p> <p>12 what, and I just leaned over and asked him in his</p> <p>13 ear, Jeff, have you ever been suspended. And he</p> <p>14 said no. Why would you ask me that.</p> <p>15 Q. Those were your exact words, Jeff, have</p> <p>16 you ever been suspended?</p> <p>17 A. Yes.</p> <p>18 Q. After May, 2013, did you ever ask</p> <p>19 Jeff Sojka whether he had ever been suspended for</p> <p>20 poor job performance?</p> <p>21 A. I asked him September of that year.</p> <p>22 Q. Do you remember the exact conversation?</p> <p>23 A. Jeff, have you ever been -- has Lenny</p> <p>24 ever suspended you. And I knew he was going to say</p>

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<p style="text-align: right;">Page 149</p> <p>1 no. Lenny is not going to suspend Jeff.</p> <p>2 Q. What did he say in response to your</p> <p>3 question?</p> <p>4 A. No.</p> <p>5 Q. After September, 2013, did you ever ask</p> <p>6 Jeff Sojka whether he had been suspended for poor</p> <p>7 job performance?</p> <p>8 A. No, no.</p> <p>9 Q. When did you ask Jerry Robinson whether</p> <p>10 he had been suspended for poor job performance?</p> <p>11 A. During the same time I asked Jeff.</p> <p>12 Q. Around which time you asked Jeff?</p> <p>13 A. May, May, 2013.</p> <p>14 Q. Do you remember the specific dates in</p> <p>15 May, 2013, when you asked Jerry Robinson?</p> <p>16 A. No. I just remember asking him had he</p> <p>17 ever been suspended.</p> <p>18 Q. Were those your exact words?</p> <p>19 A. Those were my exact words.</p> <p>20 Q. And what was Jerry Robinson's response</p> <p>21 in May, 2013?</p> <p>22 A. No, I have not.</p> <p>23 Q. Other than May, 2013, did you ever ask</p> <p>24 Jerry Robinson whether he had been suspended for</p>	<p style="text-align: right;">Page 151</p> <p>1 A. Him and Lenny had an argument about what</p> <p>2 I don't know because when I came in the argument</p> <p>3 was ending.</p> <p>4 Q. After September, 2013, did you ever ask</p> <p>5 Jerry Robinson whether he was suspended for poor</p> <p>6 job performance?</p> <p>7 A. No.</p> <p>8 Q. When did you ask Oscar Diaz whether he</p> <p>9 had been suspended for poor job performance?</p> <p>10 A. I asked him in June of 2013.</p> <p>11 Q. Do you remember the exact day in June?</p> <p>12 A. No.</p> <p>13 Q. Do you remember the precise</p> <p>14 conversation?</p> <p>15 A. Oscar, have you ever been suspended by</p> <p>16 Lenny for poor job performance. He said no.</p> <p>17 Q. You specifically asked by Lenny?</p> <p>18 A. Yes.</p> <p>19 Q. Besides June, 2013, did you ever --</p> <p>20 strike that.</p> <p>21 After June, 2013, did you ever ask</p> <p>22 Oscar Diaz whether he had been suspended for</p> <p>23 poor job performance?</p> <p>24 A. In September, 2013.</p>
<p style="text-align: right;">Page 150</p> <p>1 poor job performance?</p> <p>2 A. In June of that year.</p> <p>3 Q. Do you remember the exact day in June?</p> <p>4 A. No.</p> <p>5 Q. Do you remember the exact conversation?</p> <p>6 A. Jerry, are you sure you have never been</p> <p>7 suspended for poor job performance. And he said</p> <p>8 no.</p> <p>9 Q. Other than May, 2013, June, 2013, did</p> <p>10 you ever ask Jerry Robinson whether he had been</p> <p>11 suspended for poor job performance?</p> <p>12 A. I asked him again in September and the</p> <p>13 reason I kept asking Jerry 'cause he's always</p> <p>14 getting into arguments with Lenny.</p> <p>15 Q. September of what year?</p> <p>16 A. 2013.</p> <p>17 Q. Do you remember the exact conversation</p> <p>18 in September, 2013?</p> <p>19 A. Well, it was after the discussion he had</p> <p>20 had with Lenny and I had asked him do you think</p> <p>21 Lenny's going to suspend you. And he said, no,</p> <p>22 he's not.</p> <p>23 Q. After what conversation Jerry had with</p> <p>24 Lenny?</p>	<p style="text-align: right;">Page 152</p> <p>1 Q. Do you remember the precise dates?</p> <p>2 A. No.</p> <p>3 Q. Do you remember the exact conversation</p> <p>4 you had?</p> <p>5 A. Have you ever been suspended for poor</p> <p>6 job performance.</p> <p>7 Q. Is that exactly what you said?</p> <p>8 A. Yes.</p> <p>9 Q. And what did he respond?</p> <p>10 A. No.</p> <p>11 Q. After September, 2013, did you ever ask</p> <p>12 Oscar Diaz whether he had been suspended for poor</p> <p>13 job performance?</p> <p>14 A. I asked him again in November of that</p> <p>15 year.</p> <p>16 Q. Do you remember the date?</p> <p>17 A. Before Thanksgiving, before the</p> <p>18 holidays.</p> <p>19 Q. More specifically, do you remember the</p> <p>20 date?</p> <p>21 A. 25th.</p> <p>22 Q. You asked him on November 25th?</p> <p>23 A. Yes.</p> <p>24 Q. Where did you ask him on November 25th?</p>

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<p style="text-align: right;">Page 153</p> <p>1 A. In the parking lot.</p> <p>2 Q. Why does this date stand out to you?</p> <p>3 A. Because I was getting ready to go on</p> <p>4 vacation.</p> <p>5 Q. Do you remember the exact conversation</p> <p>6 you had on November 25th with Oscar Diaz?</p> <p>7 A. I just asked him had he ever been</p> <p>8 suspended for poor job performance. He said no.</p> <p>9 Q. After November 25th, 2013, did you ever</p> <p>10 ask Oscar Diaz whether he had been suspended for</p> <p>11 poor job performance?</p> <p>12 A. No.</p> <p>13 Q. When did you ask Leslie Travis Cook</p> <p>14 whether she had been suspended for poor job</p> <p>15 performance?</p> <p>16 A. I asked her in June of 2013.</p> <p>17 Q. Do you remember the exact date?</p> <p>18 A. No, just a month.</p> <p>19 Q. Do you remember the exact conversation?</p> <p>20 A. Leslie, have you ever been suspended for</p> <p>21 poor job performance. She said no.</p> <p>22 Q. Before June, 2013, had you ever asked</p> <p>23 Leslie Travis Cook whether she had been suspended</p> <p>24 for poor job performance?</p>	<p style="text-align: right;">Page 155</p> <p>1 2013, April, 2013, February, 2013?</p> <p>2 A. Her response was no, no. How did she</p> <p>3 put it. I wish they would suspend me.</p> <p>4 Q. Did Ms. Travis Cook ever say yes, that</p> <p>5 she had been suspended for poor job performance?</p> <p>6 A. No. She said no, she has not.</p> <p>7 Q. Aside from these conversations when you</p> <p>8 asked fellow water rate takers whether they had</p> <p>9 been suspended for poor job performance, is there</p> <p>10 anything else that is the basis for your belief</p> <p>11 that, quote, "No one has ever been suspended for</p> <p>12 poor job performance except you"?</p> <p>13 A. They gave Ms. Cook a route around</p> <p>14 O'Hare Airport. This was before Ms. Greenwood</p> <p>15 retired. Ms. Greenwood retired July of 2012. And</p> <p>16 I guess they were trying to bring Ms. Cook in to</p> <p>17 see if she knew the route. Well, she brought the</p> <p>18 route back in with less than ten stops and she</p> <p>19 told our supervisor Tyrone Lewis that she couldn't</p> <p>20 find the stops. She didn't know where she was</p> <p>21 going. No pre-dis, no suspension, no nothing.</p> <p>22 They in turn took what she brought back in and</p> <p>23 gave it to Ms. Greenwood the next day to go out</p> <p>24 and finish it.</p>
<p style="text-align: right;">Page 154</p> <p>1 A. Before or after?</p> <p>2 Q. Before.</p> <p>3 A. Yes, I did. I used to ask Leslie all</p> <p>4 the time because Leslie's very verbal. So I asked</p> <p>5 her in May. I asked her in April.</p> <p>6 Q. May and April of what year?</p> <p>7 A. 2013.</p> <p>8 Q. Before April, 2013, when was the last</p> <p>9 time you asked Ms. Travis Cook whether she had been</p> <p>10 suspended for poor job performance?</p> <p>11 A. I asked her again in November, 2013.</p> <p>12 Q. Before April, 2013, when, if ever, did</p> <p>13 you ask Ms. Travis Cook whether she had been</p> <p>14 suspended for poor job performance?</p> <p>15 A. February, 2013.</p> <p>16 Q. Before February, 2013, when, if ever,</p> <p>17 did you ask her that?</p> <p>18 A. I didn't ask her before then.</p> <p>19 Q. After November, 2013, did you ever ask</p> <p>20 Ms. Travis Cook whether she had been suspended for</p> <p>21 poor job performance?</p> <p>22 A. No.</p> <p>23 Q. Do you remember her response each of</p> <p>24 these instances, June, 2013, November, 2013, May,</p>	<p style="text-align: right;">Page 156</p> <p>1 Q. When you say Ms. Green, who are you</p> <p>2 referring to?</p> <p>3 A. Jessie Greenwood.</p> <p>4 Q. How do you know that Ms. Travis Cook</p> <p>5 only completed -- strike that.</p> <p>6 How do you know that Ms. Travis Cook</p> <p>7 brought a route in with less than 12 stops in June,</p> <p>8 2012, with the route around O'Hare Airport?</p> <p>9 A. She showed it to me.</p> <p>10 Q. Do you remember the exact date?</p> <p>11 A. No. I just know it was before</p> <p>12 Ms. Greenwood retired because she had to take</p> <p>13 it back out and complete it.</p> <p>14 Q. How do you know Ms. Travis Cook told</p> <p>15 Tyrone that she couldn't find the stops?</p> <p>16 A. I was in the office when she brought the</p> <p>17 route in.</p> <p>18 Q. So you heard her tell Tyrone that she</p> <p>19 couldn't find the stops?</p> <p>20 A. Yes, I did.</p> <p>21 Q. How do you know there was no</p> <p>22 pre-disciplinary hearing?</p> <p>23 A. Because I mentioned to her, I said if it</p> <p>24 had been me, I'd be suspended by now.</p>

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<p style="text-align: right;">Page 157</p> <p>1 Q. So how do you know that there was no 2 pre-disciplinary hearing? 3 A. She told me she didn't -- I asked her, I 4 said, have you been scheduled for a pre-dis. She 5 said no. So you don't get suspended without a 6 pre-dis. 7 Q. Did you ask her whether she had been 8 suspended? 9 A. Yes, I did. 10 Q. And what did she say? 11 A. She said I see you every day. When did 12 they suspend me. 13 Q. How do you know -- strike that. 14 When you say "they," who are you 15 referring to? 16 A. Len Caifano. Well, it would have been 17 Tyrone Lewis that would have written her up like 18 they did me and he'd have sent it down to Lenny and 19 Lenny would have started the paperwork for a 20 pre-disciplinary hearing. 21 Q. Do you know why Tyrone Lewis and 22 Lenny Caifano never gave a pre-disciplinary hearing 23 for Ms. Travis Cook regarding her turning in less 24 than 12 stops?</p>	<p style="text-align: right;">Page 159</p> <p>1 belief that no one besides you has ever been 2 suspended for poor job performance? 3 A. Ron Blankus, before he went on DD, Ron 4 never did more than 20 stops a day. 5 Q. How do you know that -- strike that. 6 When did Ron Blankus go on DD? What do 7 you mean by -- strike that. Sorry. 8 What do you mean by DD? 9 A. Duty disability. 10 Q. When did Ron Blankus go on duty 11 disability? 12 A. I don't know the exact date, but he's 13 been on there for three years now. 14 Q. And you said before Ron Blankus went on 15 duty disability how many? 16 A. Less than 20 stops every day. 17 Q. How do you know that he turned in less 18 than 20 stops every day? 19 A. When he put his work on the desk you can 20 see it. 21 Q. And by stops, do you mean posting? 22 A. Yes. He puts the paperwork on the desk 23 that shows what he did and it's on there. 24 Q. With Ms. Travis Cook in 2012, in June</p>
<p style="text-align: right;">Page 158</p> <p>1 A. No. 2 Q. You testified that they then gave the 3 route to Ms. Greenwood to finish it the next day, 4 is that correct? 5 A. Yes. 6 Q. When you say "they," who are you 7 referring to? 8 A. Tyrone Lewis. 9 Q. Are you referring to anyone else when 10 you say "they"? 11 A. Well, he had to get the okay from Lenny 12 to give it to Ms. Greenwood, but he knew 13 Ms. Greenwood knew where it was because she was 14 familiar with that area. 15 Q. How do you know Tyrone Lewis gave the 16 route to Ms. Greenwood to finish the next day? 17 A. Because Ms. Greenwood came up to me 18 because Ms. Cook had written directions all over 19 the route and Ms. Greenwood showed it to me and 20 said whose handwriting is this. And I told her 21 that's Leslie's handwriting. 22 Q. Aside from this incident where Ms. Cook 23 turned in less than 12 stops in June, 2012, is 24 there anything else that's the basis for your</p>	<p style="text-align: right;">Page 160</p> <p>1 of 2012 when she turned in less than 12 stops, was 2 her route in the G5 at the time? 3 A. Yes, it was. 4 Q. So she was reading meters? 5 A. Yes. 6 Q. How do you know that her route was in 7 G5? 8 A. Everybody gets a machine when they're 9 reading meters in the morning. Before they leave 10 out, you have to put in your code to unlock it. 11 Q. So were the results from Ms. Cook's day 12 of work -- 13 A. Wait a minute. Wait a minute. I'm 14 getting mixed up. To show the work, it had to be 15 in the -- no, because Ms. Greenwood didn't do it. 16 So it was on paper. 17 Q. What was on paper? 18 A. The route was on paper. When 19 Ms. Greenwood showed it to me, that's how I was 20 able to tell her whose handwriting it was. 21 Q. And this was reading meters? 22 A. Yes. 23 Q. So -- 24 A. You know, it had to be posting. It was</p>

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<p style="text-align: right;">Page 161</p> <p>1 posting. We had posting on paperwork. That was 2 before they came out with the iPads. 3 Q. So in June, 2012, water rate takers were 4 not using iPads to track their posting? 5 A. Right. We had paper. 6 Q. And the route where Ms. Travis Cook 7 turned in less than 12 stops was posting and it 8 was on paper? 9 A. Yes. 10 Q. You mentioned that before Ron Blankus 11 went on duty disability he never turned in more 12 than 20 stops, correct? 13 A. Correct. 14 Q. And you mentioned that you know this 15 because you saw -- 16 A. His paper route when he brought it back 17 into the station. 18 Q. When exactly did you see his paper 19 route when he brought it into the station? 20 A. When you come back to the station, you 21 put your work on your supervisor's desk so you can 22 put it in the computer what you did that day. 23 Q. Which supervisor? 24 A. Tyrone Lewis.</p>	<p style="text-align: right;">Page 163</p> <p>1 A. Right. 2 Q. You saw it on Tyrone Lewis' desk five 3 days a week? 4 A. Yes. 5 Q. For what stretch of time did you see the 6 results of Mr. Blankus' work on Mr. Lewis' desk 7 five days a week? 8 MR. GOMBERG: I thought that it was asked and 9 answered, but you can answer again. 10 BY THE WITNESS: 11 A. Ron had been doing this at least, at 12 least three to four years before he went on DD. 13 BY MR. JOHNSON: 14 Q. So is it fair to say that during those 15 three to four years every day of the workweek you 16 saw the results of Mr. Blankus' work on Tyrone's 17 desk? 18 A. Yes. 19 Q. Where exactly did the water rate takers 20 at that time put work on his desk at the end of the 21 day? Was there a box? 22 A. No. 23 Q. Was there a bin? 24 A. No. Just come and his desk is there.</p>
<p style="text-align: right;">Page 162</p> <p>1 Q. What dates did you see Mr. Blankus' 2 results on Mr. Lewis' desk? 3 A. Five days a week. 4 Q. During what time period? 5 A. I'm not sure what year he went on duty 6 disability, but it was before he stopped coming 7 to work. But he had been doing that for at least 8 three years or more. 9 Q. For how long -- for how long a stretch 10 of time -- for how many weeks, rather, for how many 11 weeks did you see Ron Blankus' results from the 12 stops he had made on Tyrone's desk five days a 13 week? 14 MR. GOMBERG: I'm sorry. I don't understand 15 the question. 16 MR. JOHNSON: Yeah, I'll rephrase. 17 BY MR. JOHNSON: 18 Q. You testified that you saw the results 19 of Ron Blankus' posting, is that correct? Was it 20 posting that you saw on Tyrone Lewis' desk? 21 A. Posting or whatever they had assigned 22 him to do that day, posting, SEO 1s. 23 Q. The results of Mr. Blankus' work, is 24 that fair?</p>	<p style="text-align: right;">Page 164</p> <p>1 You put it there. I come. I put mine. The next 2 one comes, put theirs there. Everybody when they 3 come in, they just put it on the desk. 4 Q. The various water rate takers would put 5 their results from their work that day in a pile? 6 A. Yes. 7 Q. During that stretch of time for three to 8 four years was Mr. Blankus' work results always on 9 top of the pile? 10 A. No. It depended on when you got there. 11 If I got there before you did, my work is there. 12 You come in after me, you put your work there. But 13 there's nothing to prevent me from getting up out 14 of my desk, coming and looking on the desk to see 15 what you did. Or if the supervisor isn't there, 16 (indicating). 17 Q. By that motion, do you mean looking 18 through the pile? 19 A. You can look through everybody's work 20 that's been put on that desk. 21 Q. And is that something you did in the 22 three to four years before Ron Blankus went on duty 23 disability? 24 A. I did it every day.</p>

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<p style="text-align: right;">Page 165</p> <p>1 Q. During what years did you flip through 2 the results of other water rate takers' work on 3 Mr. Lewis' desk? During what years did you do 4 that? 5 A. From the time -- I did it when we was at 6 49th and Western, the time limit we was over there. 7 When they moved us down to 39th and Iron, Lenny's 8 cubicle was here and I did it there. 9 Q. In 2008, did you regularly flip through 10 the result -- the stack of results of other water 11 rate takers' work on Tyrone Lewis' desk? 12 A. Yes, I did. 13 Q. In 2009? 14 A. Yes. 15 Q. In 2010? 16 A. Yes. 17 Q. 2011? 18 A. Yes. 19 Q. 2012? 20 A. Yes. 21 Q. In 2014? 22 A. Yes. I flipped through the work every 23 day I came in because I told you I got to work and 24 the lights was still off in the building. So</p>	<p style="text-align: right;">Page 167</p> <p>1 A. No. 2 Q. Did you ever take notes about what you 3 had seen when flipping through? 4 A. No. 5 Q. So how do you remember the results that 6 you saw when flipping through? 7 A. Because on certain days whatever route 8 he gave me -- like when he was putting me on the 9 north side, I looked to see if anyone else was up 10 there on the north side. No one else was on the 11 north side. Then I looked to see how many stops 12 they had did that day as compared to how many 13 stops I did that day. 14 Q. When you say he put you on the north 15 side, who's he? 16 A. Well, Tyrone Lewis was the super. So he 17 assigned us to the north side. But I recall asking 18 him, Tyrone, doesn't Lenny have a crew, because he 19 put us in crews, to work on the north side. He 20 said, yes, he does. I said, I thought the crew 21 consisted of Pat and Bridget and a couple of other 22 peoples. He said you're right. I said then how 23 did I get to the north side. He said you know 24 Lenny makes the decisions. So he snatched Pat and</p>
<p style="text-align: right;">Page 166</p> <p>1 someone would turn the lights on and there's 2 nothing to prevent me from looking through the work 3 that the co-workers had did the day before. 4 Q. Did Mr. Lewis know that you were 5 flipping through the stack of results of other 6 water rate takers' work? 7 A. No. 8 Q. Did he ever ask you whether you had been 9 flipping through the stack of results of other 10 water rate takers' work? 11 A. No. 12 Q. Did you ever think to tell him that you 13 were flipping through the stack of results of other 14 water rate takers' work? 15 A. No. 16 Q. Are you aware of a rule in place in the 17 water department regarding whether one water rate 18 taker could look at the work results of another? 19 A. No. 20 Q. Did you keep notes -- after flipping 21 through and looking at the stack of results of 22 other water rate takers' work, did you take 23 notes about what you had seen when flipping 24 through?</p>	<p style="text-align: right;">Page 168</p> <p>1 Bridget from the north side and put me up on the 2 north side. 3 Q. When did you have this conversation with 4 Mr. Lewis? 5 A. When they assigned me to go to the north 6 side. 7 Q. When was that? 8 A. I don't know. We're all over certain 9 times of the month. As a matter of fact, we just 10 left the north side two months ago. 11 Q. Are you referring to a specific 12 conversation when you asked Mr. Lewis doesn't 13 Lenny have a crew that he sends to the north side? 14 A. Yes. 15 Q. When did that specific conversation 16 happen? 17 A. That was at 39th and Iron, but I can't 18 recall -- I do recall. It was around the time that 19 I did the stop 1/24/12. 20 Q. You mean January 24th, 2012? 21 A. Yes. 22 Q. What does it mean for you to be sent -- 23 for Tyrone to send you to the north side? 24 A. I don't understand.</p>

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<p style="text-align: right;">Page 169</p> <p>1 MR. GOMBERG: Object to the --</p> <p>2 MR. JOHNSON: Sure.</p> <p>3 MR. GOMBERG: -- question, form of the</p> <p>4 question.</p> <p>5 MR. JOHNSON: Sure.</p> <p>6 BY MR. JOHNSON:</p> <p>7 Q. Tyrone sending you to the north side,</p> <p>8 does that mean your assignment for that day was</p> <p>9 on the north side of Chicago?</p> <p>10 A. Yes.</p> <p>11 Q. And in 2012, were there times when</p> <p>12 Tyrone Lewis would send you to the north side to</p> <p>13 do posting?</p> <p>14 A. Yes.</p> <p>15 Q. Were there times when he would send you</p> <p>16 to the north side to do meter reading?</p> <p>17 A. Yes.</p> <p>18 Q. Were there times he would send you to</p> <p>19 the north side to do other assignments?</p> <p>20 A. Those were the only two assignments he</p> <p>21 sent me to the north side to do, either to post or</p> <p>22 to read water meters.</p> <p>23 Q. Did you dislike going to the north side</p> <p>24 on assignments?</p>	<p style="text-align: right;">Page 171</p> <p>1 Q. Was Mr. Lewis the first supervisor to</p> <p>2 send you up to the north side on assignments?</p> <p>3 A. No.</p> <p>4 Q. Who before Mr. Lewis sent you up to the</p> <p>5 north side on assignments?</p> <p>6 A. When we had four stations, whatever</p> <p>7 station was short of rate takers that day, they</p> <p>8 sent the rate takers from another station up there.</p> <p>9 So I was scheduled to Station 2 when I first</p> <p>10 started. And if Station 1, which was on Wilson</p> <p>11 Avenue, didn't have enough rate takers, they didn't</p> <p>12 come into work that day, they would send the least</p> <p>13 senior rate taker up there. And at that time when</p> <p>14 I first started I was the least senior rate taker.</p> <p>15 So I ended up going up to Wilson Avenue,</p> <p>16 Springfield and North Avenue.</p> <p>17 Q. What time was that?</p> <p>18 A. When I first started working in 1991.</p> <p>19 Q. Do you remember who your supervisor was</p> <p>20 back then?</p> <p>21 A. Bob Kroll I think.</p> <p>22 Q. Besides Bob Kroll, did any other</p> <p>23 supervisors send you up to the north side on</p> <p>24 assignments?</p>
<p style="text-align: right;">Page 170</p> <p>1 A. I'm not as familiar with the north side,</p> <p>2 then I wasn't, as I am the south side, but I</p> <p>3 learned.</p> <p>4 Q. Did you complain to Mr. Lewis about him</p> <p>5 sending you to the north side on assignments in</p> <p>6 2012?</p> <p>7 A. No. I recall making a statement to</p> <p>8 him, well, why doesn't he send Pat and Bridget to</p> <p>9 the north side since that's his north side crew. I</p> <p>10 wasn't the north side crew. I was sent on the</p> <p>11 south side. But they told Lenny, they meaning Pat</p> <p>12 and Bridget told Lenny they were not familiar with</p> <p>13 the north side. So he snatched them from up there</p> <p>14 and put me up there.</p> <p>15 Q. Whose north side crew are Pat and</p> <p>16 Bridget?</p> <p>17 A. Well, Lenny had crews and he had</p> <p>18 assigned Pat Durrant and Bridget. It was about</p> <p>19 five different rate takers that he had scheduled to</p> <p>20 work the north side and their assignments always</p> <p>21 would have been on the north side. After Pat and</p> <p>22 Bridget told Lenny they were not familiar with the</p> <p>23 north side, he pulled them from the north side and</p> <p>24 sent me up on the north side.</p>	<p style="text-align: right;">Page 172</p> <p>1 A. No, because we had four stations. So</p> <p>2 everybody had their own station.</p> <p>3 Q. In 2012, did you know what assignment</p> <p>4 each water rate taker was given by Tyrone Lewis on</p> <p>5 a daily base?</p> <p>6 A. Only if I asked them.</p> <p>7 Q. If you asked who?</p> <p>8 A. The rate takers. I would ask them, like</p> <p>9 I do today, where are you scheduled to work.</p> <p>10 And they would look on the back, well,</p> <p>11 I'm on 63rd and Western or I'm on 79th and Oglesby.</p> <p>12 Q. In 2012, did you know how many stops on</p> <p>13 an assignment each water rate taker was given on a</p> <p>14 daily basis?</p> <p>15 A. If we were posting, we were all given</p> <p>16 the yellow sheets and the sheets -- I think we was</p> <p>17 doing sheets. I don't think we had iPads then.</p> <p>18 And you went out there and you did what you could.</p> <p>19 Sometimes you finished. Sometimes you didn't.</p> <p>20 Q. Did you always know the exact number of</p> <p>21 posts that were given to another water rate taker</p> <p>22 on assignment?</p> <p>23 A. Only after they came back into the</p> <p>24 station and I looked at their cover sheet.</p>

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<p style="text-align: right;">Page 173</p> <p>1 Q. And in 2012, how many times did you look 2 at the cover sheet of other water rate takers when 3 they came back in the station? 4 A. Every day. 5 Q. Did you look at the cover sheet of 6 other water rate takers -- of all of the other 7 water rate takers every day in 2012? 8 A. Yes. Those that submitted cover sheets 9 with their work, yes. 10 Q. Did you take notes after looking at the 11 cover sheets of all the water rate takers in 2012? 12 A. I never took notes. 13 Q. Did you ever -- you mentioned that you 14 were sent to the north side in 1991 on assignments, 15 correct? 16 A. Yes. 17 Q. And you were sent to the north side in 18 2012 on assignments, correct? 19 A. Yes. 20 Q. Between 1991 and 2012, were you ever 21 sent to the north side on assignments? 22 A. Yes. 23 Q. What years? 24 A. When I first became a water rate taker</p>	<p style="text-align: right;">Page 175</p> <p>1 Q. You mentioned that you would look at 2 all of the water -- in 2012 you would look at all 3 of the water rate takers' cover sheets after they 4 came back from assignment, is that correct? 5 A. Yes. If they came back to 39th and 6 Iron, yes. 7 Q. When would you look at their cover 8 sheets? 9 A. At the end of the day. 10 Q. So about what time? 11 A. If they came in at 2 o'clock, 2:15, 2:30 12 and put their work on the desk. So it was after 13 their shift had ended. They were coming back into 14 the station. 15 Q. So if a water rate taker came in at 2:15 16 and dropped off their cover sheet, were you already 17 at the station? 18 A. Yes. 19 Q. In 2012 when you were doing postings, 20 were you usually back at the station by 2 o'clock? 21 A. Sometimes. 22 Q. When you were doing reading, meter 23 reading, household meter reading in 2012, were you 24 usually back at the station by 2 o'clock?</p>
<p style="text-align: right;">Page 174</p> <p>1 if the Station 1, which was operating at that 2 time -- if enough rate takers didn't come in, they 3 sent the least senior rate takers there. In 1991, 4 I was the last one to come into the station. So I 5 had to go to Station 1. And this happened every 6 time they were short of rate takers. 7 The only time I stopped going to 8 Station 1 on the north side is when they hired 9 other rate takers and I had more seniority than 10 them at the time. So then that's how Ms. Greenwood 11 ended up at Station 1 because she came in after I 12 did. So they sent her up to Station 1 and she 13 liked it and the supervisor kept her up there. 14 Q. Were you ever sent to the north side on 15 assignments in 1992? 16 A. Yes. 17 Q. What about 1993? 18 A. Yes. 19 Q. In 1994? 20 A. Yes. 21 Q. Was there a time every year from 1994 to 22 2012 where you were sent to the north side on 23 assignment? 24 A. Yes.</p>	<p style="text-align: right;">Page 176</p> <p>1 A. Sometimes I was. 2 Q. You testified earlier that your hours 3 of work on -- strike that -- in 2012 were 7:00 a.m. 4 to 3:30 p.m., is that correct? 5 A. Yes. 6 Q. So the times when you would come in 7 back to the office at 2 o'clock, what would you do 8 until the end of the workday? 9 A. You had paperwork that you had to fill 10 out because if you get mileage you have to put down 11 what area, what streets you was on in order to get 12 the mileage for the month. 13 Q. Were you ever disciplined for coming 14 into the office too soon before the end of the 15 workday? 16 A. What year? 17 Q. In 2012. 18 A. I'm not sure. I don't think so because 19 everybody's coming back now at 2 o'clock because 20 they have to turn in keys, the trucks, and the 21 iPads. 22 Q. In 2012, what time would you leave the 23 station at the end of the day? 24 A. Leave the station at the end of the day?</p>

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<p style="text-align: right;">Page 177</p> <p>1 Q. Right, to go home.</p> <p>2 A. 3:30.</p> <p>3 Q. So was that every day in 2012?</p> <p>4 A. Yes.</p> <p>5 Q. So when you would look at the cover</p> <p>6 sheets of other water rate takers in 2012, this</p> <p>7 was between the time when you got back from your</p> <p>8 assignment back to the station and when you left</p> <p>9 the station at 3:30, is that correct?</p> <p>10 A. Yes.</p> <p>11 Q. On the days when you in 2012 were back</p> <p>12 to the station by 2:00 p.m., had you finished all</p> <p>13 of your assignment?</p> <p>14 A. I think so, yes.</p> <p>15 Q. Are there dates you can think of where</p> <p>16 that was not the case?</p> <p>17 A. No, I can't think of any offhand, no.</p> <p>18 MR. JOHNSON: Could we take a short break?</p> <p>19 MR. GOMBERG: Let me ask a question. How much</p> <p>20 longer do you have?</p> <p>21 MR. JOHNSON: That's part of what I want to</p> <p>22 take a break for was to discuss with my co-counsel.</p> <p>23 I mean, I anticipate taking the full seven hours,</p> <p>24 so...</p>	<p style="text-align: right;">Page 179</p> <p>1 how much more time of the seven hours, first of</p> <p>2 all, do you think you have left?</p> <p>3 MR. JOHNSON: We still have a bit to get</p> <p>4 through. So I think when it's all said and done</p> <p>5 I'm going to need the full seven hours.</p> <p>6 MR. GOMBERG: Not my question. How much time</p> <p>7 have we used so far? Have you been keeping track?</p> <p>8 Has anybody been keeping track?</p> <p>9 (WHEREUPON, discussion was had off</p> <p>10 the record.)</p> <p>11 MR. GOMBERG: My suggestion is we just</p> <p>12 stop now because it's already 4:25 and start up</p> <p>13 again when we start up again.</p> <p>14 MR. JOHNSON: I think -- correct me if I'm</p> <p>15 wrong, but I think we'd rather get through some</p> <p>16 more until 5:00 today.</p> <p>17 MR. GOMBERG: For what reason? Do you have a</p> <p>18 particular reason?</p> <p>19 MR. JOHNSON: That's what I prefer.</p> <p>20 MR. GOMBERG: I understand that. I'm talking</p> <p>21 to you like a person.</p> <p>22 MR. JOHNSON: Yeah, sure.</p> <p>23 MR. GOMBERG: Why do you prefer that?</p> <p>24 MR. JOHNSON: Because --</p>
<p style="text-align: right;">Page 178</p> <p>1 MR. GOMBERG: We're not going beyond 5:00.</p> <p>2 MR. JOHNSON: Okay.</p> <p>3 MR. GOMBERG: So if you're not going to</p> <p>4 finish by 5:00, it's okay with me to stop and we'll</p> <p>5 come back. It's up to you, but I'm not staying</p> <p>6 beyond 5:00.</p> <p>7 MR. JOHNSON: Uh-huh.</p> <p>8 MS. NAVE: What time is it now?</p> <p>9 MR. JOHNSON: It's 4:08 -- 4:09.</p> <p>10 Short break, ten minutes at most.</p> <p>11 (WHEREUPON, a recess was had from</p> <p>12 4:09 to 4:21 p.m.)</p> <p>13 BY MR. JOHNSON:</p> <p>14 Q. Ms. Cage --</p> <p>15 MR. GOMBERG: Hang on a second. How about</p> <p>16 finishing our conversation?</p> <p>17 MR. JOHNSON: Oh, sure. So, yeah, we can stop</p> <p>18 at 5:00, but then we would like to finish out the</p> <p>19 seven hours on a different day, get up to seven</p> <p>20 hours.</p> <p>21 MR. GOMBERG: Yeah, I said that. That's fine.</p> <p>22 We can pick another day. But my point was if</p> <p>23 you're not going to finish -- maybe I didn't make</p> <p>24 it clear. If you're not going to finish anyway --</p>	<p style="text-align: right;">Page 180</p> <p>1 MR. GOMBERG: Because 5 o'clock is obviously</p> <p>2 an arbitrary time, just like 4:25 is an arbitrary</p> <p>3 time. There's no particular reason when we're</p> <p>4 going to start up again anyway. What's the sense</p> <p>5 of going until 5 o'clock? That's my only question.</p> <p>6 We're not going to be done today anyway.</p> <p>7 MS. NAVE: So we want to get as much done</p> <p>8 today as we can. So you set the deadline of</p> <p>9 5 o'clock. So we would prefer to get the seven</p> <p>10 hours done in one day.</p> <p>11 MR. GOMBERG: I understand. I'm just talking</p> <p>12 to you. What's the difference because you're going</p> <p>13 to get it done anyway. Just get it done on another</p> <p>14 day. Why go to the extreme of the time period?</p> <p>15 MS. NAVE: Well, I mean --</p> <p>16 MR. JOHNSON: Is it that big a deal that we go</p> <p>17 another 35 minutes?</p> <p>18 MR. GOMBERG: To me it is. To me it is</p> <p>19 because I'm stopping at 5:00 for a reason. I got</p> <p>20 to be somewhere for a particular reason. So it</p> <p>21 would make it easier on me if we just stop at</p> <p>22 4:30. That's what it is now. There's no real</p> <p>23 reason to go to 5:00 except you want to get some</p> <p>24 things done. But you're going to get it done</p>

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<p style="text-align: right;">Page 181</p> <p>1 anyway. We're agreeing to come back. It just 2 makes my life easier. 3 MS. NAVE: Well, if you have no objection 4 going until 5:00, we would prefer to finish at 5 5:00. 6 MR. GOMBERG: Okay. I have an objection. 7 MS. NAVE: Then what is your objection? 8 MR. GOMBERG: What I just said. 9 MS. NAVE: But you said that we would have 10 until 5 o'clock today. So we would prefer to go 11 all the way up until 5:00, which is just an 12 additional half hour. 13 MR. GOMBERG: Just so you know, don't ask me 14 for any favors in the future. This is not even a 15 favor. This is just common sense. You want to 16 play that little game, fine. Let's go. 17 MS. NAVE: Counsel, it's not a game. 18 MR. GOMBERG: It is a game. 19 MS. NAVE: I mean, we're entitled to seven 20 hours in one day. 21 MR. GOMBERG: Look, go ahead. 22 MS. NAVE: You just are telling us today -- 23 MR. GOMBERG: Forget about it. Go ahead. 24 Finish until 5:00.</p>	<p style="text-align: right;">Page 183</p> <p>1 the City as a water rate taker have you ever 2 personally heard any City employees make a 3 derogatory comment regarding your age? 4 A. Mike Duda used to say all the time -- 5 he would single out the senior rate takers, which 6 is -- well, Mrs. Williams is gone, but it would be 7 myself and he would say, older rate takers, you all 8 need to just retire. What are you hanging around 9 for. You need to just leave and open up the field 10 so a younger person can come in and do the job. 11 Q. Is there any other City employee who 12 you've personally heard make a derogatory comment 13 regarding your age while you've been a water rate 14 taker? 15 A. Hasn't been derogatory, but they have 16 said, you know, as a matter of fact the other day, 17 Ms. Cage, why don't you just go and retire 18 as old as you are. 19 Q. Who said that? 20 A. One of my fellow rate takers. I don't 21 want to get him in no trouble, so I won't mention 22 his name. But this was said yesterday, you need to 23 retire so that younger people can come in. 24 Q. Besides the fellow water rate taker who</p>
<p style="text-align: right;">Page 182</p> <p>1 MS. NAVE: Okay. Thank you. 2 MR. GOMBERG: You'll get the same result from 3 me if you ever ask me for something. 4 BY MR. JOHNSON: 5 Q. Ms. Cage, can you please tell me in your 6 own words why you're suing the City of Chicago? 7 A. Because there were younger employees 8 than myself that are not black that were treated 9 better than I was and still are. They do less work 10 than I do and they're not reprimanded or suspended. 11 They practically do what they want to do and no one 12 says anything. 13 And Mr. Caifano is now gone. I'm doing 14 the same work with no suspensions. It's ironic how 15 all the sudden my work has improved now that he's 16 no longer with the City. When he was with the 17 City, everything I did was wrong. 18 Q. Is there any other reasons why you're 19 suing the City? 20 A. Yes, for the pain and suffering, the 21 aggravation, the lost wages, the seniority that I 22 have lost because every time you get suspended it 23 demotes your seniority. 24 Q. In the entire time that you worked for</p>	<p style="text-align: right;">Page 184</p> <p>1 made a comment yesterday and Mike Duda, is there 2 any other City employee who's made a derogatory or 3 insensitive comment regarding your age as you've 4 been a water rate taker? 5 A. Len Caifano. 6 Q. Is there anyone else? 7 A. No, that's it. 8 Q. In the entire time you have worked for 9 the City water department as a water rate taker 10 have you ever personally heard any City employee 11 make a derogatory or insensitive comment about 12 your race? 13 A. Only Lenny to my knowledge. 14 Q. In the entire time that you've worked in 15 the City water department as a water rate taker 16 have you ever personally heard a City employee make 17 a derogatory or insensitive comment about your 18 gender? 19 A. Well, where I work at it's a lot of men. 20 I think it's me and one other lady in the section 21 where we work at. So men tend to be men. They 22 talk like it's all men there. So I hear it and I 23 don't hear it. So when they're cursing and making 24 statements, I hear and I don't hear.</p>

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<p style="text-align: right;">Page 185</p> <p>1 Q. Are there specific comments that you've 2 heard during your time as a water rate taker made 3 by City employees that were insensitive about your 4 gender? 5 A. No, no one other than Len Caifano. For 6 the most part, most of them when they see a lady, 7 they say, oh, excuse me, Ms. Cage. 8 Q. In the entire time you've been working 9 as a water rate taker in the City water department 10 have you ever heard Tyrone Lewis make a derogatory 11 or insensitive comment about your age? 12 A. No. 13 Q. Have you ever heard Mr. Lewis make a 14 derogatory or insensitive comment about your race? 15 A. No. We are the same race. 16 Q. Have you ever heard Mr. Lewis make a 17 derogatory or insensitive comment about your 18 gender? 19 A. No. 20 Q. Your entire time working for the City 21 as a City water -- strike that -- as a water rate 22 taker have you ever heard a City employee make a 23 derogatory or insensitive comment about you having 24 filed a charge or a complaint in the past?</p>	<p style="text-align: right;">Page 187</p> <p>1 suspend me -- he's very arrogant and he said now 2 get the fuck out of my office, you motherfucker. 3 Q. When did he say get the fuck out of my 4 office, you motherfucker? 5 A. We had a discussion I think it was 6 3/8/13. 7 Q. So that's March 8th, 2013? 8 A. Yes. 9 Q. How do you remember that exact date? 10 A. Because there are the only two instances 11 that I remember talking to Lenny because normally I 12 try to avoid him. 13 Q. On March 8th, 2013 -- strike that. 14 January 24th, 2012, and this instance 15 in March, 2013 -- strike that -- March 8th, 2013, 16 were the only two times you talked to Lenny 17 Caifano? 18 A. I talked to him all the time, but those 19 were the only two times that I asked him -- talked 20 to him about being suspended. 21 Q. And March 8th, 2013, when he said get 22 the fuck out of my office, motherfucker, was 23 anyone else around to hear that comment? 24 A. No.</p>
<p style="text-align: right;">Page 186</p> <p>1 A. No. 2 Q. You never heard Mr. -- 3 A. Just Lenny, just Lenny. None of my 4 co-workers and not Mr. Lewis. 5 Q. So besides Mr. Caifano, you never 6 personally heard another City employee make a 7 derogatory or insensitive comment about you 8 having filed a charge or a complaint in the past? 9 A. No. 10 Q. What comment did Mr. Caifano make about 11 your age? 12 A. He made the statement that I was an old 13 nigger bitch. 14 Q. And this was January 24th, 2012? 15 A. Yes. 16 Q. Is there any other comment Mr. Caifano 17 has ever made that was derogatory or insensitive 18 about your age? 19 A. One other time I had a meeting with him. 20 March, 2013, I think. 21 Q. Did he make a derogatory or insensitive 22 comment about your age in March, 2013? 23 A. No, but the statement he made after we 24 had had our discussion about him continuing to</p>	<p style="text-align: right;">Page 188</p> <p>1 Q. When during the day did that comment 2 take place? 3 A. When I came back in from the field. 4 Q. So about what time? 5 A. About 2:30. 6 Q. Where were you when he made that 7 comment? 8 A. 39th and Iron in the conference room. 9 Q. What comment did Mike Duda make that 10 was derogatory or insensitive about your age? 11 A. The statement that Mike made when I 12 had asked him why he was following me and he didn't 13 follow any other rate taker. And he told me I need 14 to shut up and be glad I still have a job and to 15 get back in the field before I get suspended. 16 Q. Sorry. Circling back real quick, 17 besides January 24th, 2012, and March 8th, 2013, 18 was there any other comment made by Mr. Caifano 19 about your age? 20 A. Not to me. 21 Q. When did Mike Duda say shut up and be 22 glad you have a job? 23 A. I'm trying to think of the year because 24 one of my co-workers have filed a grievance on him</p>

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<p style="text-align: right;">Page 189</p> <p>1 about some derogatory remarks he made to her, so 2 this is in the same time frame. I just can't 3 recall the year. 4 Q. Was it before 2010? 5 A. No, no. 6 Q. Was it in 2011? 7 A. No. It may have been '12 because I had 8 had trouble and they was letting me use the City 9 truck to complete my route. 10 Q. When he said shut up and be glad you 11 have a job, where exactly were you when he made 12 that comment? 13 A. In the field. 14 Q. Was he with you in the field? 15 A. No. He had followed me to the location 16 I was at. 17 Q. So when he made the comment, it was 18 physically -- he was physically with you in your 19 presence? It was in person? 20 A. Yes. 21 Q. Was anyone else there to hear this 22 comment? 23 A. No. 24 Q. Do you remember about what time of day</p>	<p style="text-align: right;">Page 191</p> <p>1 Q. Anyone else? 2 A. Well, he called Bridget Jones a stupid 3 bitch. 4 Q. Did you hear him call Bridget Jones a 5 stupid bitch? 6 A. Yes. It was in the station. When Mike 7 say something, it's like this room. He doesn't 8 take you anywhere. He just says it out loud. 9 Q. When did he call Bridget Jones a stupid 10 bitch? 11 A. Bridget was back up -- it was back 12 around maybe '10 or '11, 2010, 2011. 13 Q. Do you remember who else besides you 14 heard the comment? 15 A. The entire station, every rate taker 16 that was at work that day. 17 Q. What time of day was the comment made? 18 A. In the morning after 7:00 a.m. 19 Q. Was there any other fellow water rate 20 taker you can think of that had an issue with 21 Mike Duda's comments? 22 A. No, that's it. 23 Q. The comment that Mike Duda made, quote, 24 "shut up and be glad you have a job," why do you</p>
<p style="text-align: right;">Page 190</p> <p>1 it was made, this comment? 2 A. 12 o'clock. 3 Q. Exactly 12 o'clock? 4 A. Exactly 12:00. 5 Q. How do you remember it was exactly 6 12:00? 7 A. Because when Mike follows you -- you 8 know, like I said, when he caught me, I was getting 9 ready to go to lunch and he pulled up in the back 10 of me. 11 Q. Besides this comment in about 2012 12 one day at noon when Mike Duda told you shut up and 13 be glad you have a job, is there any other comment 14 Mike Duda ever made that was derogatory or 15 insensitive about your age? 16 A. No. 17 Q. Which fellow employee had an issue with 18 statements made by Mike Duda? 19 A. Leslie Travis Cook. 20 Q. Anyone else? 21 A. A rate taker named Francisco Rios. 22 Q. Anyone else? 23 A. Well, this gentleman retired. His name 24 was Ed Bandera.</p>	<p style="text-align: right;">Page 192</p> <p>1 believe that was age related? 2 A. Because I haven't heard him use that 3 statement or talk to any other younger rate taker 4 that way. 5 Q. Are you present every time Mike Duda 6 speaks with other water rate takers? 7 A. When he was a supervisor and we was 8 stationed at 79th Street, yes. 9 Q. Did Mike Duda visit other water rate 10 takers in the field? 11 A. I don't think he did because that was 12 the question, why are you following me and not 13 someone else. 14 Q. Did Mike Duda ever have private 15 conversations with other water rate takers? 16 A. No one liked Mike. They didn't even 17 like talking to Mike. Francisco Rios threatened to 18 beat him in the station because he was harassing 19 him so bad. 20 Q. You heard Francisco threaten to beat 21 Mike Duda up? 22 A. Yes, I did. 23 Q. What words did he use exactly? What 24 words did Rios use?</p>

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<p style="text-align: right;">Page 193</p> <p>1 A. Mike, if you don't leave me alone, I'll 2 fuck you up. 3 Q. Is there any other reason why you think 4 Mike Duda's comment in 2012 shut up and be glad I 5 have a job -- be glad you have a job was related to 6 your age? 7 A. Yes. The way Mike talks to you, it's 8 demeaning. That's why I had filed a grievance with 9 the union that I didn't want to have any contact 10 with Mike at all. And it went to Lenny, but 11 nothing happened. 12 Q. Is there any other reason why you think 13 his comment shut up and be glad you have a job was 14 related to your age? 15 A. No, just that. 16 Q. Len Caifano's comment on March 8th, 17 2013, quote, "Get the fuck out of my office, you 18 motherfucker," why do you think that was related to 19 your age? 20 A. Because I'm a black female. 21 Q. Is there any other reason? 22 A. No, that's the only reason. 23 Q. So is there any other comment that 24 Mike Duda made that was insensitive or derogatory</p>	<p style="text-align: right;">Page 195</p> <p>1 about your gender, is that correct? 2 A. Yes. 3 Q. What comment did Lenny make that was 4 derogatory or insensitive about your gender? 5 A. You old nigger bitch. 6 Q. When was that comment made? 7 A. 1/24/12. 8 Q. Was there any comment besides that one 9 on 1/24/2012 that Len Caifano made insensitive or 10 derogatory about your gender? 11 A. No. 12 Q. And you testified that no one has ever 13 while you've been a water rate taker made a 14 derogatory or insensitive comment about you having 15 filed charges or complaints in the past? 16 A. No, only Lenny. 17 Q. So to be clear, Len Caifano has never 18 made a comment to you, a negative comment to you 19 about having filed charges or complaints in the 20 past? 21 MR. GOMBERG: Object to the form of the 22 question. 23 MR. JOHNSON: Sure. 24</p>
<p style="text-align: right;">Page 194</p> <p>1 about your age besides that comment in about 2012, 2 shut up and be glad you have a job? 3 A. Not to me, no. 4 Q. You mentioned that Len Caifano has made 5 a comment that was insensitive or derogatory about 6 your race, is that right? 7 A. Yes. 8 Q. What comment did Len Caifano make 9 that was derogatory or insensitive about your race? 10 A. I consider "nigger" derogatory. The 11 word "nigger," I consider it derogatory. 12 Q. And he said this to you? 13 A. Yes. 14 Q. When did he say this to you? 15 A. 1/24/12. 16 Q. Did he ever say nigger to you on another 17 occasion besides January 24th, 2012? 18 A. No. 19 Q. Is there any other comment that 20 Lenny made to you that was derogatory or 21 insensitive about your race? 22 A. No, not to me. 23 Q. You mentioned that Len Caifano made a 24 comment to you that was derogatory or insensitive</p>	<p style="text-align: right;">Page 196</p> <p>1 BY MR. JOHNSON: 2 Q. Has Len Caifano ever criticized you for 3 making complaints or filing charges in the past? 4 A. Yes. The statement that we had on 5 1/24/12 when I asked him he know as well as I do I 6 do more work than the majority of the rate takers, 7 so why am I the only one being suspended. And his 8 comment was as long as you keep filing charges, 9 I'll keep suspending you. 10 Q. Those were his exact words? 11 A. Those were his exact words. 12 Q. And when did that conversation take 13 place? 14 A. 1/24/12. 15 Q. Was it the same conversation in which he 16 called you an old nigger bitch? 17 A. Same conversation. 18 Q. And was anyone else present? 19 A. No. 20 Q. Besides that comment on January 24th, 21 2012, where Mr. Caifano said as long as you keep 22 filing charges, I'll keep suspending you, is there 23 any other time when Mr. Caifano criticized you for 24 filing charges or complaints?</p>

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<p style="text-align: right;">Page 197</p> <p>1 A. No, because the other conversation we 2 had was in March. And when I asked him about am I 3 suspended then, he said it is what it is. I'm the 4 chief. 5 Q. Do you consider that to be critical of 6 you because you filed charges or complaints in the 7 past? 8 A. Well, the way he said it, yes. 9 Q. So is there any other time where 10 Mr. Caifano made critical comments of you 11 because you filed charges or complaints in the 12 past? 13 MR. GOMBERG: Objection -- 14 BY THE WITNESS: 15 A. No. 16 MR. GOMBERG: -- to the form of the question. 17 BY MR. JOHNSON: 18 Q. Is there any other time besides 19 January 24th, 2012, and March when he said it is 20 what it is when Mr. Caifano criticized you because 21 you previously filed charges or complaints in the 22 past? 23 MR. GOMBERG: Object to the form of the 24 question.</p>	<p style="text-align: right;">Page 199</p> <p>1 Q. Is there anyone else who you believe did 2 not treat you fairly? 3 A. Mike Duda. 4 Q. Is there anyone else you believe did not 5 treat you fairly? 6 A. That's it. 7 MR. JOHNSON: I think we're good for today. 8 We're finished for today. Thank you. Thank you. 9 MS. NAVE: Etran. 10 MR. GOMBERG: I assume you're not through with 11 the deposition? 12 MR. JOHNSON: Correct. 13 (Time Noted: 4:54 p.m.) 14 (WHEREUPON, the deposition was 15 adjourned sine die.) 16 17 18 19 20 21 22 23 24</p>
<p style="text-align: right;">Page 198</p> <p>1 BY MR. JOHNSON: 2 Q. You can still answer. 3 A. No. 4 Q. So other than what we've discussed, are 5 there any other reasons why you're suing the City? 6 MR. GOMBERG: Objection. 7 BY THE WITNESS: 8 A. I can still answer that? 9 BY MR. JOHNSON: 10 Q. Uh-huh. 11 A. The only other reason is I wasn't 12 treated fairly. 13 Q. What do you mean you weren't treated 14 fairly? 15 A. I was not treated the way my fellow 16 co-workers were treated. Those co-workers did far 17 less work than myself. 18 Q. Who do you believe did not treat you 19 fairly? 20 A. Len Caifano. 21 Q. Is there anyone else you believe did not 22 treat you fairly? 23 A. Well, Tyrone did what Lenny told him to 24 do. So that's why he's involved in it.</p>	<p style="text-align: right;">Page 200</p> <p>1 STATE OF ILLINOIS) 2) SS: 3 COUNTY OF DUPAGE) 4 I, JULIE A. CONROY, CSR No. 84-2251, a 5 Notary Public within and for the County of DuPage, 6 State of Illinois, and a Certified Shorthand 7 Reporter of said state, do hereby certify: 8 That previous to the commencement of the 9 examination of the witness, the witness was duly 10 sworn to testify the whole truth concerning the 11 matters herein; 12 That the foregoing deposition transcript 13 was reported stenographically by me, was thereafter 14 reduced to typewriting under my personal direction 15 and constitutes a true record of the testimony 16 given and the proceedings had; 17 That the said deposition was taken 18 before me at the time and place specified; 19 That I am not a relative or employee or 20 attorney or counsel, nor a relative or employee of 21 such attorney or counsel for any of the parties 22 hereto, nor interested directly or indirectly in 23 the outcome of this action. 24 IN WITNESS WHEREOF, I do hereunto set my</p>



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1 hand of office at Chicago, Illinois, this 13th day
2 of May, 2015.

3
4 *Julie A. Conroy*
5

6 Julie A. Conroy, CSR No. 84-2251

7 Notary Public, DuPage County, Illinois.

8 My commission expires 6/6/17.



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1 I N D E X

2 WITNESS EXAMINATION

3 OPHELIA CAGE

4 BY MR. JOHNSON 3

5
6
7
8 E X H I B I T S

9 NUMBER PAGE

10 Cage Deposition

11 Exhibit No. 1 19

12 Exhibit No. 2 70

13 Group Exhibit No. 3 89

14 Exhibit No. 4 94

15 Exhibit No. 5 96

16 Exhibit No. 6 101

17 Exhibit No. 7 111

18 Exhibit No. 8 112

19 Exhibit No. 9 125

20 Exhibit No. 10 127